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THE BOOK OF THE STATES

1992-93 EDITION

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CONTENTS

FOREWORD xi

Chapter One
STATE CONSTITUTIONS 1

A review of constitutional revision and actions on proposals in the states during 1990-91, along with general information on state constitutions, amendment procedures, and constitutional commissions.

State Constitutions and Constitutional Revision: 1990-91
Janice C. May 2

Chapter Two
STATE EXECUTIVE BRANCH 29

An overview of the states' chief executives, other constitutional officers, and executive branch activities in 1990-91. Current information on the office of governor — including qualifications for office, compensation, powers, cabinet systems, transition provisions — and the duties, qualifications for office, annual salaries, methods of selection, and length of terms for selected executive branch officials. Includes a special essay on executive branch reorganization efforts since 1965.

The Governors, 1990-91
Thad L. Beyle 30

The Executive Branch: Organization and Issues, 1990-91
Thad L. Beyle 57

Executive Branch Reorganization in the States, 1965-1991: Perspectives on the Benefits and Limitations of Major Reform Initiatives
James K. Conant 64

The Lieutenant Governors, 1990-91
Scott McCallum 88

The Secretaries of State, 1990-91
James H. Douglas 95

The Attorneys General, 1990-91
Jeffrey L. Amestoy 102

The State Treasurers, 1990-91
Mary Ellen Withrow 115

Chapter Three
STATE LEGISLATIVE BRANCH 123

A review of the evolution of the state legislature, with special emphasis on changes in the last two years. Includes basic information on the legislatures — such as the legal provisions for legislative sessions and a variety of legislative procedures — along with legislative compensation, statistics on 1990-1991 bill introductions and enactments, and membership turnover.

The State Legislatures
Rich Jones 124

CONTENTS

Chapter Four
STATE JUDICIAL BRANCH 209

An exploration of the state of the judiciary, with information on the courts of last resort, intermediate appellate courts, and general trial courts, as well as the compensation and methods of selection and removal of state judges.

The State of the Judiciary
Kenneth G. Pankey Jr. 210

The "New" Judicial Federalism
Stanley H. Friedelbaum 247

Chapter Five
STATE ELECTIONS 257

A review of recent state legislation and actions affecting elections, electoral procedures and campaign finance. Includes information on which state offices will be up for election in the years 1992 through 2001, election dates, campaign finance laws and limitations, procedures for passage of initiatives, referenda and recalls, voter registration provisions, as well as state-by-state voting statistics for the most recent gubernatorial, non-presidential and presidential elections.

Election Legislation, 1990-91
Richard G. Smolka 258

Financing State and Local Elections: Trends and Issues
Keon S. Chi 283

Chapter Six
STATE FINANCES 345

An overview of the states' budget procedures and funds management activities, their revenue sources, expenditures and debts for 1989 and 1990, and tax structures and receipts for 1990. Also includes data on federal expenditures in the states during fiscal 1990.

State Finances in a Changing Economy
Marcia A. Howard 346

State Government Finances, 1990
Henry S. Wulf 365

Trends in State Taxation, 1990-91
Ronald Alt 390

State Tax Collections in 1990
Gerard T. Keffer 408

Federal Expenditures in the States and Other U.S. Jurisdictions: Fiscal 1990
David Kellerman 419

Chapter Seven
STATE MANAGEMENT AND ADMINISTRATION 435

An overview of several components of state administration and changes in light of fiscal constraints. Includes information on state personnel administration, policies and employee benefits. Statistics on state government employment and payrolls, as well as public employee retirement systems, are presented for 1989 and 1990.

State Management and Administration: Doing More with Less
Wayne W. Hall Jr. 436

CONTENTS

State Government Employment in 1990
Alan V. Stevens 475

Finances of State-Administered Public Employee Retirement Systems: Fiscal 1990
Henry S. Wulf 488

Chapter Eight
SELECTED STATE ACTIVITIES, ISSUES AND SERVICES 509
An overview of several areas of concern to the states — including education, criminal justice and corrections, the environment, highways and transportation, regulation of health professions, and labor.

Innovations in State Government, 1990-91
Deborah A. Gona 510

Environmental Development: Merging Environmental Protection and Economic Development Priorities in the 1990s
R. Steven Brown 555

Challenges for Environmental Management in the Age of Information
John Mark Johnson 560

State Occupational and Professional Licensure
Pamela L. Brinegar and Kara L. Schmitt 567

Labor Legislation, 1990-91
Richard R. Nelson 581

Chapter Nine
INTERGOVERNMENTAL AFFAIRS 599
A review of recent developments in the relations between the federal government and the states, the states and their local governments, and cooperative efforts among the states themselves. Statistics on federal aid and state intergovernmental revenue and expenditures for 1989 and 1990 are included.

Developments in Federal-State Relations, 1990-91
John Kincaid 600

Developments in State-Local Relations, 1990-91
Joseph F. Zimmerman 620

State Aid to Local Governments, Fiscal 1990
David Kellerman 632

Interstate Compacts and Agreements
Benjamin J. Jones 648

The Council of State Governments 651

Chapter Ten
STATE PAGES 657
A variety of statistics and information about the states — including capitals, population, land areas, historical data, elected executive branch officials, legislative leaders, and judges of the state high courts. State mottos, flowers, songs, birds and other items unique to the states and other U.S. jurisdictions also are presented.

INDEX 691

TABLES

Chapter One
STATE CONSTITUTIONS

Constitutions

A State Constitutional Changes by Method of Initiation 1984-85, 1986-87, 1988-89, 1990-91 . . . 2
B Substantive Changes in State Constitutions: Proposed and Adopted, 1984-85, 1986-87, 1988-89 and 1990-91 . . . 6
1.1 General Information on State Constitutions (As of January 1, 1992) . . . 20
1.2 Constitutional Amendment Procedure: by the Legislature (Constitutional Provisions) . . . 22
1.3 Constitutional Amendment Procedure: by Initiative (Constitutional Provisions) . . . 24
1.4 Procedures for Calling Constitutional Conventions (Constitutional Provisions) . . . 25
1.5 State Constitutional Commissions (Operative during January 1, 1990 to January 1, 1993) . . . 27

Chapter Two
STATE EXECUTIVE BRANCH

Governors

A Costs of Gubernatorial Campaigns, Most Recent Elections . . . 34
B Total Cost of Gubernatorial Elections: 1977-1991 . . . 35
2.1 The Governors 1992 . . . 44
2.2 The Governors: Qualifications for Office . . 46
2.3 The Governors: Compensation . . . 47
2.4 The Governors: Powers . . . 49
2.5 Gubernatorial Executive Orders: Authorization, Provisions, Procedures . . . 51
2.6 State Cabinet Systems . . . 53
2.7 The Governors: Provisions and Procedures for Transition . . . 54
2.8 Impeachment Provisions in the States . . . 55

Executive Branch

A Models and the Reform Ideal . . . 66
B The Fourth Wave: Executive Branch Reorganization Origins, Goals, Process and Results . . . 68
2.9 Constitutional and Statutory Provisions for Length and Number of Terms of Elected State Officials . . . 74
2.10 Selected State Administrative Officials: Methods of Selection . . . 76
2.11 Selected State Administrative Officials: Annual Salaries . . . 82

Lieutenant Governors

A Examples of Specific Duties . . . 89
2.12 Lieutenant Governors: Qualifications and Terms . . . 92
2.13 Lieutenant Governors: Powers and Duties . . . 93

Secretaries of State

2.14 Secretaries of State: Qualifications for Office . . . 99
2.15 Secretaries of State: Election and Registration Duties . . . 100
2.16 Secretaries of State: Custodial, Publication and Legislative Duties . . . 101

Attorneys General

2.17 Attorneys General: Qualifications for Office . . . 111
2.18 Attorneys General: Prosecutorial and Advisory Duties . . . 112
2.19 Attorneys General: Consumer Protection Activities, Subpoena Powers and Antitrust Duties . . . 113
2.20 Attorneys General: Duties to Administrative Agencies and Other Responsibilities . . . 114

Treasurers

2.21 Treasurers: Qualifications for Office . . . 120
2.22 Treasurers: Duties of Office . . . 121

Chapter Three
STATE LEGISLATIVE BRANCH

Legislatures

A State Legislative Turnover, 1979-1989 . . . 127
3.1 Names of State Legislative Bodies and Convening Places . . . 136
3.2 Legislative Sessions: Legal Provisions . . . 137
3.3 The Legislators: Numbers, Terms and Party Affiliation (As of May 1992) . . . 141
3.4 Membership Turnover in the Legislatures: 1990 . . . 142
3.5 The Legislators: Qualifications for Election . . . 143
3.6 Senate Leadership Positions — Methods of Selection . . . 145
3.7 House Leadership Positions — Methods of Selection . . . 147
3.8 Method of Setting Legislative Compensation (As of January 15, 1991) . . . 149
3.9 States in Which Legislators' Salaries are Tied or Related to State Employees' Salaries (As of January 31, 1991) . . . 149
3.10 States with Legislative Compensation Commissions (As of January 15, 1991) . . . 150

3.11 Legislative Compensation: Regular and Special Sessions (As of February 1992) 151
3.12 Legislative Compensation: Interim Payments and Other Direct Payments (As of January 15, 1991) 153
3.13 Additional Compensation for Senate Leaders (As of January 15, 1991) 157
3.14 Additional Compensation for House Leaders (As of January 15, 1991) 159
3.15 State Legislative Retirement Benefits (As of January 15, 1991)............... 161
3.16 Mechanisms Used to Expedite and Streamline Bill Processing 166
3.17 Bill Pre-Filing, Reference, and Carryover 167
3.18 Time Limits on Bill Introduction 169
3.19 Enacting Legislation: Veto, Veto Override and Effective Date.................... 172
3.20 Legislative Appropriations Process: Budget Documents and Bills 175
3.21 Fiscal Notes: Content and Distribution ... 177
3.22 Extraordinary Votes Required to Take Certain Actions or Pass Specific Types of Legislation — Senate 179
3.23 Extraordinary Votes Required to Take Certain Actions or Pass Specific Types of Legislation — House 181
3.24 Bill and Resolution Introductions and Enactments: 1990 and 1991 Regular Sessions............................ 183
3.25 Bill and Resolution Introductions and Enactments: 1990 and 1991 Special Sessions............................ 186
3.26 Staff for Individual Legislators 189
3.27 Staff for Legislative Standing Committees 190
3.28 Standing Committees: Appointment and Number 191
3.29 Standing Committees: Procedure 193
3.30 Legislative Activities Performed with the Use of Computers................. 195
3.31 Legislative Review of Administrative Regulations: Structures and Procedures 197
3.32 Legislative Review of Administrative Regulations: Powers 199
3.33 Summary of Sunset Legislation.......... 201
3.34 Lobbyists: As Defined in State Statutes ... 205
3.35 Lobbyists: Registration and Reporting 207

Chapter Four
STATE JUDICIAL BRANCH

Judiciary

4.1 State Courts of Last Resort............. 227
4.2 State Intermediate Appellate Courts and General Trial Courts: Number of Judges and Terms 229
4.3 Qualifications of Judges of State Appellate Courts and General Trial Courts........ 231
4.4 Selection and Retention of Judges 233
4.5 Methods for Removal of Judges and Filling of Vacancies.................. 236
4.6 Compensation of Judges of Appellate Courts and General Trial Courts 244
4.7 Selected Data on Court Administrative Offices 246

Chapter Five
STATE ELECTIONS

Elections

5.1 State Executive Branch Officials to be Elected, 1992-2001.................... 265
5.2 State Legislatures: Members to be Elected, 1992-2001.................... 269
5.3 Methods of Nominating Candidates for State Offices......................... 273
5.4 Election Dates for National, State and Local Elections (Formulas) 275
5.5 Polling Hours: General Elections 277
5.6 Voter Registration Information 279
5.7 Voting Statistics for Gubernatorial Elections........................... 280
5.8 Voter Turnout in Non-Presidential Election Years: 1982, 1986 and 1990..... 281
5.9 Voter Turnout for Presidential Elections: 1980, 1984 and 1988 282

Campaign Finance

5.10 Campaign Finance Laws: General Filing Requirements (As of January 1992)..... 294
5.11 Campaign Finance Laws: Limitations on Contributions by Organizations (As of January 1992) 304
5.12 Campaign Finance Laws: Limitations on Contributions by Individuals (As of January 1992) 310
5.13 Campaign Finance Laws: Limitations on Expenditures (As of January 1992) ... 317
5.14 Funding of State Elections: Tax Provisions and Public Financing (As of January 1992) 326

Initiative/Referendum/Recall

5.15 Statewide Initiative and Referendum 329
5.16 State Initiatives: Requesting Permission to Circulate a Petition................... 330
5.17 State Initiatives: Circulating the Petition .. 331
5.18 State Initiatives: Preparing the Initiative to be Placed on the Ballot 333
5.19 State Initiatives: Voting on the Initiative .. 335
5.20 State Referendums: Requesting Permission to Circulate a Citizen Petition.......... 336
5.21 State Referendums: Circulating the Citizen Petition............................ 337
5.22 State Referendums: Preparing the Citizen Petition Referendum to be Placed on the Ballot 338
5.23 State Referendums: Voting on the Citizen Petition Referendum.................. 339
5.24 State Recall Provisions: Applicability to State Officials and Petition Circulation .. 340
5.25 State Recall Provisions: Petition Review, Appeal and Election................. 342

TABLES

Chapter Six
STATE FINANCES

Budget

F1 Total State Expenditures, Fiscal Year 1991 ... 347
F2 Total State Year-End Balances, Fiscal Year 1980 to Fiscal Year 1992 ... 349
6.1 State Budgetary Calendars ... 351
6.2 Officials or Agencies Responsible for Budget Preparation, Review and Controls ... 352
6.3 State Balanced Budgets: Constitutional and Statutory Provisions, Gubernatorial and Legislative Authority ... 355

Management of Funds

6.4 Allowable State Investments ... 357
6.5 Funds Under Jurisdiction of State Treasurers ... 359
6.6 Cash Management Programs and Services ... 361
6.7 Demand Deposits ... 363

Finances

A Sources of State Revenue and Change from 1989 to 1990 ... 366
B Growth Rates for Major Tax Sources ... 366
C State Expenditures by Character and Object ... 367
D Changes in State Government Indebtedness, 1980 to 1990 ... 369

Revenue and Expenditure

6.8 Summary Financial Aggregates, by State: 1989 ... 372
6.9 Summary Financial Aggregates, by State: 1990 ... 373
6.10 National Totals of State Government Finances for Selected Years: 1976-90 ... 374
6.11 State General Revenue, by Source and by State: 1989 ... 376
6.12 State General Revenue, by Source and by State: 1990 ... 378
6.13 State Expenditure, by Character and Object and by State: 1989 ... 380
6.14 State Expenditure, by Character and Object and by State: 1990 ... 382
6.15 State General Expenditure, by Function and by State: 1989 ... 384
6.16 State General Expenditure, by Function and by State: 1990 ... 386
6.17 State Debt Outstanding at End of Fiscal Year, by State: 1989 ... 388
6.18 State Debt Outstanding at End of Fiscal Year, by State: 1990 ... 389

Taxes

6.19 Agencies Administering Major State Taxes (As of January 1992) ... 394
6.20 State Tax Amnesty Programs (November 22, 1982 - Present) ... 396
6.21 State Excise Tax Rates (As of January 1, 1992) ... 397
6.22 Food and Drug Sales Tax Exemptions (As of January 1, 1992) ... 399
6.23 State Individual Income Taxes (As of January 1, 1992) ... 400
6.24 State Personal Income Taxes: Federal Starting Points ... 402
6.25 Range of State Corporate Income Tax Rates (As of January 1, 1992) ... 403
6.26 State Severance Taxes: 1991 ... 405
A Percent Distribution of State Tax Collections by Major Tax Category ... 408
B Selected States' Tax Collections: 1990 ... 409
6.27 National Summary of State Government Tax Revenue, by Type of Tax: 1988 to 1990 ... 410
6.28 Summary of State Government Tax Revenue, by State: 1988 to 1990 ... 411
6.29 State Government Tax Revenue, by Type of Tax: 1990 ... 412
6.30 State Government Sales and Gross Receipts Tax Revenue: 1990 ... 414
6.31 State Government License Tax Revenue: 1990 ... 416
6.32 Fiscal Year, Population and Personal Income, by State ... 418

Federal Expenditures

6.33 Summary Distribution of Federal Funds, by State and Territory: Fiscal Year 1990 ... 422
6.34 Federal Government Grants to State and Local Governments by Agency and for Selected Programs, by State and Territory: Fiscal Year 1990 ... 423
6.35 Federal Government Expenditures for Salaries and Wages, by State and Territory: Fiscal Year 1990 ... 426
6.36 Federal Government Direct Payments for Individuals by Program, State and Territory: Fiscal Year 1990 ... 427
6.37 Federal Government Procurement Contracts — Value of Awards, by State and Territory: Fiscal Year 1990 ... 429
6.38 Federal Government Expenditures for Other Programs, by State and Territory: Fiscal Year 1990 ... 430
6.39 Federal Government Loan and Insurance Programs — Volume of Assistance Provided, by State and Territory: Fiscal Year 1990 ... 432

Chapter Seven
STATE MANAGEMENT AND ADMINISTRATION

Management and Administration

A Recycled Products: Collection Programs ... 438
B Recycling in the States ... 439

Personnel

7.1 The Office of State Personnel Executive: Selection, Placement and Structure ... 442
7.2 State Personnel Administration: Functions ... 444
7.3 Collective Bargaining in the States ... 449
7.4 Grievance Procedures ... 450
7.5 Compensation Factors (Fair Labor Standards Act) ... 452
7.6 Classification and Compensation Plans ... 454

7.7 Traditional Benefits as Percentage of Base Salary . . . 456
7.8 Selected Employee Leave Policies . . . 458
7.9 State Employees: Paid Holidays . . . 460
7.10 Health Insurance Costs . . . 463
7.11 Various Types of Insurance Plans Offered to State Employees . . . 465
7.12 Life Insurance . . . 466
7.13 Deferred Compensation: Eligibility for 457 Plans . . . 468
7.14 Deferred Compensation: Administrative Services . . . 469
7.15 Deferred Compensation: Investment Options for 457 Plans . . . 471
7.16 Deferred Compensation: Participant Charges for 457 Plans . . . 472
7.17 Policies During Downsizing . . . 473

Public Employment

A State Employment in the Ten Most Populous and Ten Least Populous States in 1990 . . . 476
B Average Monthly Earnings for Full-Time State Employees by State for October 1990 . . . 476
C State Costs for Employee Benefits in Relation to Costs for Salaries and Wages . . 476
7.18 Summary of State Government Employment: 1952-1990 . . . 478
7.19 Employment and Payrolls of State and Local Governments, by Function: October 1989 . . . 479
7.20 Employment and Payrolls of State and Local Governments, by Function: October 1990 . . . 479
7.21 State and Local Government Employment, by State: October 1989 . . . 480
7.22 State and Local Government Employment, by State: October 1990 . . . 481
7.23 State and Local Government Payrolls and Average Earnings of Full-Time Employees, by State: October 1989 . . . 482
7.24 State and Local Government Payrolls and Average Earnings of Full-Time Employees, by State: October 1990 . . . 483
7.25 State Government Employment (Full-Time Equivalent), for Selected Functions, by State: October 1989 . . . 484
7.26 State Government Employment (Full-Time Equivalent), for Selected Functions, by State: October 1990 . . . 485
7.27 State Government Payrolls for Selected Functions, by State: October 1989 . . . 486
7.28 State Government Payrolls for Selected Functions, by State: October 1990 . . . 487

Retirement

7.29 Number, Membership and Monthly Benefit Payments of State-Administered Employee Retirement Systems: 1986-87 through 1989-90 . . . 494
7.30 National Summary of Finances of State-Administered Employee Retirement Systems: Selected Years, 1983-1990 . . . 495
7.31 Membership and Benefit Operations of State-Administered Employee Retirement Systems: Last Month of Fiscal Year 1988-89 . . . 496
7.32 Membership and Benefit Operations of State-Administered Employee Retirement Systems: Last Month of Fiscal Year 1989-90 . . . 498
7.33 Finances of State-Administered Employee Retirement Systems, by State: Fiscal 1989-90 . . . 500
7.34 Comparative Statistics for State-Administered Public Employee Retirement Systems: Fiscal 1988-89 . . . 502
7.35 Comparative Statistics for State-Administered Public Employee Retirement Systems: Fiscal 1989-90 . . . 504

Information Resource Management

7.36 Organization of State Information Resource Management in the States . . . 506
7.37 Functions of Information Resource Organizations: Policy . . . 507
7.38 Functions of Information Resource Organizations: Operations . . . 508

Chapter Eight
SELECTED STATE ACTIVITIES, ISSUES AND SERVICES

Innovations

A Innovations Program Selection Criteria . . . 511
B Innovations Panel Selections, by Region, 1990 and 1991 . . . 511

Minimum Age

8.1 Minimum Age for Specified Activities . . . 518

Elementary/Secondary Education

8.2 Membership and Attendance in Public Elementary and Secondary Schools, by State: 1989-90 and 1990-91 . . . 519
8.3 Enrollment, Average Daily Attendance and Classroom Teachers in Public Elementary and Secondary Schools, by State: 1990-91 . . . 520
8.4 Average Annual Salary of Instructional Staff in Public Elementary and Secondary Schools: 1939-40 to 1990-91 . . . 521
8.5 State Course Requirements for High School Graduation . . . 522

Higher Education

8.6 Numbers of Institutions of Higher Education and Branches, by Type, Control of Institution and State: 1989-90 . . . 525
8.7 Average Salary of Full-Time Instructional Faculty in Institutes of Higher Education, by Type and Control of Institution and State: 1989-90 . . . 526

8.8 Estimated Undergraduate Tuition and Fees and Room and Board Rates in Institutions of Higher Education, by Control of Institution and State: 1989-90 527

Education Revenue/Expenditure

8.9 General Revenue of Public School Systems, by Source: 1988-89 528
8.10 Summary of State Government Direct Expenditures for Education, by State: 1988-89 530

Highways

8.11 Total Road and Street Mileage: 1990 532
8.12 State Receipts for Highways: 1990 533
8.13 State Disbursements for Highways: 1990 .. 534
8.14 Apportionment of Federal-Aid Highway Funds: Fiscal 1991 535

Motor Vehicles

8.15 State Motor Vehicle Registrations: 1990 ... 536
8.16 Motor Vehicle Operators and Chauffeurs Licenses: 1990 537
8.17 Motor Vehicle Laws (As of 1991) 538
8.18 State No-Fault Motor Vehicle Insurance Laws 540

Criminal Justice/Corrections

8.19 Trends in State Prison Population, 1989-90 543
8.20 Adults Admitted to State Prisons, 1980 and 1989 544
8.21 State Prison Capacities, 1990 545
8.22 Adults on Probation, 1990 546
8.23 Adults on Parole, 1990 547
8.24 State Death Penalty (As of December 1990) 549

Public Utility Commissions

8.25 State Public Utility Commissions 552
8.26 Selected Regulatory Functions of State Public Utility Commissions 553

Environment

A Examples of Environmental Jobs 558
8.27 Summary of State Environmental and Natural Resource Expenditures, Fiscal Year 1988 564
8.28 State Environmental and Natural Resource Spending by Category, Fiscal Year 1988 .. 565

Licensure/Regulation

8.29 State Regulation of Selected Non-Health Occupations and Professions: 1991 573
8.30 State Regulation of Health Occupations and Professions: 1991 574
8.31 Status of Mandatory Continuing Education for Selected Professions: 1991 580

Labor

8.32 Maximum Benefits for Temporary Total Disability Provided by Workers' Compensation Statutes (As of January 1992) 587
8.33 Estimates of Workers' Compensation Payments, by State and Type of Insurance: 1987-88 589
8.34 Status of Approved State Plans Developed in Accordance with the Federal Occupational Safety and Health Act (As of February 1992) 591
8.35 Selected State Child Labor Standards Affecting Minors under 18 in Non-Farm Employment (As of January 1992) 592
8.36 Changes in Basic Minimum Wages in Non-Farm Employment under State Law: Selected Years 1968 to 1992 596

Chapter Nine
INTERGOVERNMENTAL AFFAIRS

Federal Aid

9.1 Total Federal Aid to States: Fiscal 1985-1990 619

State Aid Programs

A Percent Distribution of State Aid, 1976-1990 632
B Per Capita State Aid Distribution, 1990 .. 633

Intergovernmental Payments

9.2 Summary of State Intergovernmental Payments: 1942 to 1990 636
9.3 State Intergovernmental Expenditure, by State: 1984 to 1990 637
9.4 Per Capita State Intergovernmental Expenditure, by Function and by State: 1989 638
9.5 Per Capita State Intergovernmental Expenditure, by Function and by State: 1990 639
9.6 State Intergovernmental Expenditure, by Function and by State: 1989 640
9.7 State Intergovernmental Expenditure, by Function and by State: 1990 641
9.8 State Intergovernmental Expenditure, by Type of Receiving Government and by State: 1989 642
9.9 State Intergovernmental Expenditure, by Type of Receiving Government and by State: 1990 643
9.10 State Intergovernmental Revenue from Federal and Local Governments: 1989 ... 644
9.11 State Intergovernmental Revenue from Federal and Local Governments: 1990 ... 646

Chapter Ten
STATE PAGES

10.1 Official Names of States and Jurisdictions, Capitals, Zip Codes and Central Switchboards 658
10.2 Historical Data on the States 659
10.3 State Statistics 661

FOREWORD

It is with great pride that we bring you this new edition of *The Book of the States*, the premier reference work on state government. In recent years, we have witnessed a dramatic shift in responsibility from the federal government to the states, a trend reflected in the data contained in this book. At the same time, however, the states have been struggling with severe fiscal problems, increasing demands for services, and the citizens' general discontent with government — trends also reflected in the thought-provoking essays contained herein.

Now more than ever, it is important that the institution of state government be widely understood, and that the significant changes states are making to deal with these growing governance challenges be recognized and appreciated. We trust this volume will serve these vital purposes.

May 1992

Daniel M. Sprague
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CHAPTER ONE

STATE CONSTITUTIONS

STATE CONSTITUTIONS AND CONSTITUTIONAL REVISION, 1990-91

By Janice C. May

State constitutional developments in 1990-1991 were very similar to those of the preceding biennium and the 1980's. The use of formal amendment and revision processes to amend state charters continued to decline. Constitutional revision of a comprehensive or general scope was conspicuous by its absence. And, as was true in the preceding biennium, the popularity of the constitutional initiative as a method of initiating change was the one exception to the downward trend. Similarly, interest in state constitutional law by the legal profession and others remained evident, and literature on state constitutions continued to expand.

General Overview: Use of Authorized Methods

As Table A shows, constitutional changes by all methods were far fewer in 1990-1991 than in the preceding three biennia, and only 41 states were involved compared with 45 or 47. There were 226 proposals and 145 adoptions, including two approved in Delaware by legislative action alone. Measured by biennium averages, this level of activity was the lowest in more than 20 years. In the 1980's, the average number of propositions per biennium was 302.6 and in the 1970's, 415.8. The average number of adoptions per biennium in the 1980's was 218.2 and in the 1970's, 261. Limiting the calculations to statewide propositions (to eliminate the influence of local amendments, which fell sharply after 1980-81), the disparity between the current biennium and the average biennium of the past 20 years remains. As indicated by Table B, there were 195 statewide proposals and 121 adoptions in 1990-1991, whereas the average per biennium in the 1980's was 237.4 and in the 1970's, 304. The number of statewide proposal adoptions per biennium averaged 162.2 in the 1980's and 202.2 in the 1970's. Notably, the approval rate of propositions by all methods fell from 74 percent in 1988-89 to 63 percent in 1990-1991.

In sharp contrast to the general trends, the use of constitutional initiatives increased significantly to 29 proposals in 1990-1991 compared with 21 in 1988-89, a record high for the decade. Measured by biennium averages, the number of constitutional initiative proposals

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Janice C. May is an associate professor of government at The University of Texas at Austin.

Table A

State Constitutional Changes by Method of Initiation 1984-85, 1986-87, 1988-89 and 1990-91

	Number of states involved				*Total proposals*				*Total adopted*				*Percentage adopted*			
Method of installation	*1984 -85*	*1986 -87*	*1988 -89*	*1990 -91*	*1984 -85*	*1986 -87*	*1988 -89*	*1990 -91*	*1984 -85*	*1986 -87*	*1988 -89*	*1990 -91*	*1984 -85*	*1986 -87*	*1988 -89*	*1990 -91*
All methods	45	47	45	41	238	275	267	226	158	204	199	145	65.5*	74.3*	74.0*	63.3*
Legislative proposal	45	46	45	41	211	243	246	197	144	191	188	134	67.3*	77.7*	75.6*	67.0*
Constitutional initiative	10	9	11	10	17	18	21	29	8	5	11†	11	47.1	27.7†	55.0†	37.9
Constitutional convention	1	1	—	—	10	14	—	—	6	8	—	—	60.0	57.1	—	—
Constitutional commission	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

* In calculating these percentages, the amendments adopted in Delaware (where proposals are not submitted to the voters) are excluded.
† Excludes one Nevada constitutional initiative whose final adoption requires a second favorable vote.

for 1990-1991 was the highest in 60 years. (In the 1930's, the average per biennium was 26.6; 1940's, 12.6; 1950's, 9; 1960's, 12; 1970's, 13.8 and 1980's, 17.8). In 1990-1991, the number of constitutional initiatives adopted was 11, the same as in 1988-89. This figure also was higher than biennium averages during the past 60 years (9.4 per biennium in the 1930's; 5.6 in the 1940's; 3.2 in the 1960's; 4.2 in the 1970's; and 6.6 in the 1980's.) The approval rate for initiatives in 1990-1991 was a modest 38 percent, far less than the record 55 percent of the preceding biennium and more in line with other biennia.

Tables 1.2, 1.3, and 1.4 summarize the procedures associated with the three major methods used to initiate amendments and revisions to state constitutions: proposal by the state legislature, which is available in all states; constitutional initiative, provided for in 17 state constitutions; and the constitutional convention, accepted as legal in all states although not expressly authorized in nine state constitutions. A fourth method used to initiate and refer proposed constitutional amendments to the electorate, the constitutional commission (expressly authorized only in Florida's constitution) was not the source of any changes in 1988-89 or 1990-1991 or at any time during the 1980's.

Legislative Proposal

Legislative proposal, the most commonly employed method for initiating constitutional amendments, accounted for 197 of the 226 proposals referred to the voters during the biennium. Of those 197, 134 were adopted (including two Delaware propositions), and 132 were approved by the voters (excluding the Delaware propositions) for a 67 percent approval rate. Legislative proposals represented 87.1 percent of the total proposals by all methods in 1990-1991. In 1988-89, the proportion was higher (92 percent) because there were fewer constitutional initiatives on the ballot, the only other source of measures in both biennia.

Constitutional Initiative

The constitutional initiative, which empowers citizens by petition to propose amendments directly to the electorate (except in Massachusetts where the indirect form is used) is available in one-third of the states. Appropriate only for making limited constitutional change, a lively constitutional issue in the current biennium, the method accounted for a record number of proposals and adoptions during 1990-1991. Constitutional initiatives represented 12.8 percent of all proposals and 7.5 percent of adoptions — an unusually high proportion compared with other years.

The number of initiative proposals and adoptions by state during 1990-1991 were as follows: Arizona (3-1), Arkansas (0-0), California (11-4), Colorado (3-2), Florida (0- 0), Illinois (0-0), Massachusetts (0-0), Michigan (0-0), Missouri (0-0), Montana (1-0), Nebraska (2-0), Nevada (1-1), North Dakota (2-0), Ohio (1-0), Oklahoma (2-2), Oregon (3-1), and South Dakota (0-0). As the figures indicate, California was the most prolific user of the device with 11 proposals and four adoptions.

During the biennium, state courts played an important role in the initiative process. Two proposals were denied a spot on the ballot by Oklahoma's Supreme Court. The California high court ruled invalid the most significant new section of a proposition on crime victims rights while upholding the constitutionality of a term limits initiative. In addition, the Mississippi Supreme Court refused to allow a lottery proposition to be placed on the ballot by an initiative petition in the case of *State Ex Rel. Moore v. Molpus*, 578 So.2d 624 Miss. 1991). The initiative and referendum had been approved by the voters in 1914, but was struck down as unconstitutional in 1922. In the 1991 decision, the Mississippi high court refused to revive the process, basing its reasoning on the rule of collateral estoppel. Following the decision, the attorney general, secretary of state and other political leaders agreed to support a new initiative and referendum amendment. If the amendment is on the 1992 ballot and it is approved, Mississippi would become the 18th state to authorize the constitutional initiative. (For more information on developments in Mississippi see *The Book of the States 1990-91*.)

Constitutional Conventions

The constitutional convention is the oldest, best known and most traditional method for extensively revising an old constitution or writing a new one. As of Jan. 1, 1992, 233 conventions, including the 1982 convention in the District of Columbia, had been held in the United States. As was true of the last biennium, none was convened in 1990-1991. [The table on state constitutional conventions, which usually appears in this book has been omitted from this edition since no conventions were held in the biennium.]

Fourteen state constitutions require a popular vote periodically on the question of calling a convention (see Table 1.4). Nine states mandate one every 20 years; one state, every 16 years; four, every 10 years; and one, every 9 years. During 1990-1991, mandated convention calls were placed on the ballots of three states — Iowa, where a vote is taken every 10 years; Maryland, every 20 years; and Montana, also every 20 years. Voters defeated the referenda in all three states. Oklahoma's constitution requires a vote every 20 years, but the legislation necessary to place the referendum on the ballot did not clear the legislative process and no vote was taken. On three previous occasions, Oklahoma voters rejected the referenda.

To prepare for an automatic referendum on a call in November 1992, a conference on "The Future of the Alaska's Constitution" was held in Anchorage, Nov. 15-16, 1991. Sponsored by the office of the lieutenant governor (required by the constitution to place the call on the ballot every 10 years), the University of Alaska, the Alaska Federation of Natives, Commonwealth North, and the League of Women Voters of Alaska, the conference was expected to be only one of several related activities scheduled before the election.

Constitutional conventions could be on the public agenda in one or two states during the next biennium. Gov. Mario Cuomo of New York and Gov. Ned McWherter of Tennessee have indicated strong support for conventions as a means of resolving problems facing their respective states. In his January 1992 State of the State message, Gov. Cuomo spoke highly of the convention method as a "tool" for resolving problems with the budget, the election process, civil rights, public health and other issues. Although proposals for a limited convention were considered by the Tennessee General Assembly during an early 1992 special session and regular session, Gov. McWherter was unsuccessful in obtaining legislation to place a convention call on the ballot.

Constitutional Commissions

Constitutional commissions generally serve two major purposes: to study the constitution and propose changes; and prepare for a constitutional convention. Commissions in Oklahoma, Utah and Florida were operative during the biennium.

As reported in *The Book of the States 1990-91*, then-Gov. Henry Bellmon organized the Oklahoma Constitution Study Commission in October 1988 with the assistance of U.S. Sen. David Boren and then-Attorney General Robert Henry. In July 1989, the commission approved three articles as proposed amendments to the state Constitution: Two were substantial revisions of the executive article and the corporations article and the third was a new article on an ethics commission. A constitutional initiative petition drive obtained the requisite number of signatures to certify the three measures for the ballot in 1990. But in response to a legal challenge to the propositions' "form," the Oklahoma Supreme Court struck the executive and corporations articles from the ballot (*In re Initiative Petition No. 344*, 797 P.2d 326 [Okla. 1990] and *In re Initiative Petition No. 342*, 797 P.2d 331 [Okla. 1990]). The court held that in both cases the "single-subject rule" of the Oklahoma Constitution had been violated. Under this rule, a proposed amendment must be limited to one general subject. The court said the executive article covered at least 26 separate questions and the corporations article, 11. The ballot language, moreover, was not written in a manner alerting the voter to the many changes, according to the court. However, the judges approved the form of the new article on the ethics commission, and the voters ratified the proposition in September 1990.

The final meeting of the Oklahoma commission occurred on Oct. 21, 1991. The commission released its final report and approved unanimously its revised constitution for the state (see "The Constitution of the State of Oklahoma: Recommendations for Revision. Final Report of the Constitution Revision Study Commission." October 21, 1991). The proposed document and commentary will be published in the *Oklahoma City University Law Review* in the summer of 1992.

The proposed constitution is much shorter, less statutory and more fundamental in character than the current Oklahoma document. Although much of the present constitution has been retained, there are substantial revisions including: a completely revised or new article on the executive, corporations, and revenue and taxation; elimination of the insurance article; replacement of the social security and alcoholic beverages articles with short statements of principle; and a change in the amendment and revision article to allow the type of article-by-article revision struck down by the Oklahoma Supreme Court.

Utah's Constitutional Revision Commission, a permanent body since 1977, is required by statute to submit recommendations for constitutional changes to the Legislature at least 60 days before each regular session. Recommendations for a major revision of the labor article and two changes in the legislative article were rejected by the Legislature in 1990. At the general election, however, a proposed amendment on emergency powers, originally recommended by the commission, was ratified by the voters. Major revisions of the corporations article and changes in executive offices, boards and commissions were submitted to the 1991 Legislature, but no action was taken. The commission's most recent recommendations, made to the 1992 Legislature, are all resubmissions: major revisions of the labor, corporations, legislative and executive articles; and two lesser changes, legislative eligibility and separation of powers and elimination of the dedication of the income tax for the public schools. In addition, the commission began a comprehensive study of the revenue and taxation article and completed studies of term limitations, the prohibition of polygamy, the executive branch (qualifications, eligibility and duties) and constitutional issues relating to the State Tax Commission.

The Florida Taxation and Budget Reform Commission was authorized by a constitutional amendment adopted in 1988 (see *The Book of the States 1990-91* for information). The amendment required the establishment of the commission in 1990 and every 10 years thereafter. Like its predecessor, the Florida Constitution Revision Commission, the new body is empowered to propose constitutional amendments directly to the voters, thus bypassing the Legislature. Unlike the earlier group, whose authority extended to any subject, this commission has authority only over tax and budget issues, which were taken away from its predecessor. Also, unlike the other body, the tax and budget reform commission may recommend statutory changes of a fiscal nature to the Legislature.

The purpose of the commission is to provide citizen analysis and recommendations for tax and budget reforms. According to one account, many view it as the best hope for improvement in the fiscal system.[1] The 29-member commission was appointed in early 1990. Of the 25 non-legislative voting members, 11 were appointed by the governor, and seven each by the speaker of the House and the Senate president. Of the four nonvoting legislators, the speaker appointed one majority and one minority representative and the president of the Senate appointed one majority and one minority senator. At the first meeting of the commission on April 16, 1990, Thompson L. Rankin, Tampa business and civic leader, was elected chairman. The commission was made up almost entirely of business, professional and government leaders. Initially, there were five female members and one black member.

The Legislature appropriated $1.5 million to the commission for the two years it has been in operation. In addition, administrative support has been provided by the Florida Center for Public Management at Florida State University. Members receive per diem and travel expenses.

An active commission, the group has held numerous meetings (26 between April 16 and October 1990 alone) and many public hearings, has made recommendations to the Legislature, and has published two major reports: "A Program for Reform of Florida Government" (1991) and "Florida's Fiscal Future: Balancing Needs and Taxes" (1992). In the 1992 volume, the commission made recommendations for eight new constitutional amendments, among them a taxpayers' bill of rights, a revenue cap on state revenues, a limited income tax (which the Florida constitution currently prohibits), and more fiscal freedom for local governments. During April 1992, the commission met weekly to prepare its final recommendations for constitutional amendments, as May 7 was the deadline for inclusion on the November general election ballot. To be referred, each proposed amendment had to be approved by two-thirds of the voting members of the commission and, additionally, by a majority of each of its three voting subgroups (identified by their appointing authority). The commission is required by law to cease operations on June 30, 1993.

Substantive Changes

In 1990-1991, no general revision proposals and no revisions of an entire article were on the ballot of any state. In some instances, however, a new article or major sub-article was approved, as was the case with the Oklahoma ethics article. The biennium was eventful, nonetheless, with several significant measures on state ballots. One was the "Crime Victims Justice Reform Act," ratified by California voters. According to the California Supreme Court, which struck down the major section, it would have altered the fundamental character of the state constitution and the state judiciary. Another major development in which California played a key role was the adoption of term limits for the state legislature and the executive branch.

Two important public school reform proposals also were on state ballots. An Oregon amendment, subsequently defeated by the voters, would have established an open enrollment plan and income tax credits for students attending private schools or receiving home instruction. An Arizona proposal, also rejected at the polls, would have followed in the footsteps of California's Proposition 98 by ensuring a higher level of school spending. As in the past, there were numerous fiscal measures that would have effected far-reaching changes. With the possible exception of an Oregon proposal to reduce school property taxes substantially, however, no really major changes were approved.

Table B offers an overview of the general subject matter of state constitutional change in 1990-1991 and three preceding biennia. Propositions are placed in two major categor-

Table B

Substantive Changes in State Constitutions: Proposed and Adopted, 1984-85, 1986-87, 1988-89 and 1990-91

	Total proposed				*Total adopted*				*Percentage adopted*			
Subject matter	*1984 -85*	*1986 -87*	*1988 -89*	*1990 -91*	*1984 -85*	*1986 -87*	*1988 -89*	*1990 -91*	*1984 -85*	*1986 -87*	*1988 -89*	*1990 -91*
Proposals of statewide applicability	228	251*	228*	195*	154	184†	164†	121†	67.1*	72.9*	71.6*	61.5*
Bill of Rights	9	12*	21	13	7	10	19	8	77.7	81.8*	90.5	61.5
Suffrage & elections	5	11	12	3	5	10	8	2	100.0	90.9	66.7	66.6
Legislative branch	37	49	44	45	19	35	33	28	51.5	71.4	75.0	62.2
Executive branch	30	23	22	9	20	19	14	8	66.7	82.6	63.6	88.8
Judicial branch	19	18	18	13	16	15	14	7	78.9	83.3	77.8	53.8
Local government	16	17	14	7	13	11	10	3	75.0	64.7	71.4	42.8
Finance & taxation	67	45	54	58	43	29	33‡	36	64.2	64.4	62.9‡	62.0
State & local debt	21	12	6	4	16	8	5	3	76.2	66.6	83.3	75.0
State functions	17	29	22	29	9	22	17	18	52.9	75.8	77.3	62.0
Amendment & revision	2	0	5	0	2	0	2	0	100.0	0	40.0	0
General revision proposals	0	14	0	0	0	8	0	0	0	57.1	0	0
Miscellaneous proposals	5	22	12	15	4	17	9	9	80.0	77.2	75.0	60.0*
Local amendments	10	24	39	31	4	20	35	24	40.0	79.1	89.7	74.1*

* Excludes Delaware where proposals are not submitted to the voters.
† Includes Delaware.
‡ Excludes one Nevada constitutional initiative whose final adoption requires a second favorable vote.

ies: those of general statewide application, which are, by far, the most numerous and involved 41 states in 1990-1991; and proposed local amendments considered in seven states (Alabama, Colorado, Delaware, Louisiana, New York, North Dakota and Ohio) during the same period. The local amendments apply to only one or a few political subdivisions. Of the 195 statewide propositions, 121 were adopted (including one in Delaware). Excluding Delaware, the voters approved 61 percent of these measures. Of the 31 local amendments, 24 were accepted (including one Delaware proposition). Excluding Delaware, 74 percent were approved.

In Table B, statewide amendments are further classified under the principal topics of state constitutions, identified for convenience by the titles of articles found in most constitutions. The use of article titles does not provide a complete guide to the number of propositions on the same subject, however, as individual constitutions are internally inconsistent and state constitutions also differ from one another.

As indicated by Table B, finance drew the most propositions of all articles (58), which is typical, and the legislative article the next highest (45), also customary. The executive article, however, registered the highest approval rating (89 percent), unlike two years ago, when the Bill of Rights was at the top of the list with a 90 percent success rate. The lowest approval rate was left to the local government article (43 percent), the only article to fall below 50 percent.

Bill of Rights, Suffrage and Elections

The number of proposals to alter state bills of rights dropped from a 1988-89 record of 21 for the decade to 13 in 1990-1991. Adoptions also were much lower, eight instead of 19, for a modest approval rate of 61 percent in 1990-1991. Almost half of the proposals concerned crime, and four of these were designed to protect the rights of crime victims. Voter-approved measures in New Jersey and Arizona were typical and included the rights to be informed, heard, present at trials and to receive restitution.

The two California propositions were of a different character altogether. The major section of both initiatives was identical except for a provision retaining the right of reproductive choice under the California Constitution, which was incorporated in the proposition rejected by the voters. The California measure that passed, the "Crime Victims Justice Reform Act" (Proposition 115), was designed to restrict the rights of criminal defendants to those upheld by the U.S. Supreme Court under the U.S. Constitution. In other words, the California courts would have been prohibited from providing greater protection of defendants' rights under the state constitution than under the federal document. The California Supreme Court in the case of *Raven v. Deukmejian*, 801 P.2d 1077 (Calif. 1990), declared the provisions unconstitutional on the ground that they constituted a "revision" rather than an "amendment" (to which constitutional initiatives are restricted under the state constitution). According to the high court, the provisions amounted to a revision because they destroyed the California Constitution as "a document of independent force and effect" and deprived the courts of their traditional judicial functions. The court said that at least 32 state constitutional rights would have been eliminated by the proposition. The court left standing three other sections of the initiative: one conferred on the state for the first time the rights of due process and a speedy and public trial; the others prohibited various procedures preliminary to trial that would have favored the defendant. To date, these have not been held unconstitutional.

Of the other crime proposals, a South Carolina amendment that would have reduced the state grand jury's jurisdiction was defeated, while an Oklahoma measure that made changes in criminal and civil juries was adopted.

Other alterations to the state bills of rights included a Florida "right to keep and bear arms" provision that was adopted; it requires a three-day waiting period for handgun purchases. Voters in Oregon rejected an initiative that would have limited abortion except in cases of rape, incest and possible death of the mother. The electorate also defeated an Arizona initiative providing for a no-fault automobile insurance program that limited recovery for damages under tort law. In Georgia, voters approved a change establishing a state torts council that would make it easier to sue the state. Of two "eminent domain" propositions, both changing the method of property valuation, one passed (Oklahoma) and one failed (South Dakota). Maryland voters adopted an exception to a dual office-holding prohibition by allowing judges and legislators to serve in the military. Other rights-related changes not located in the states' bills of rights were: the approval of English as the official language of Alabama; an exemption from the property tax for most church property in Wisconsin; and the repeal of vestiges of segregation in Mississippi and Arkansas. The Mississippi amendment removed the requirement of racial segregation in prisons; the Arkansas measure repealed an amendment directing the state to fight racial desegregation in the public schools.

In the 1990-1991 biennium, only three changes were proposed for state suffrage and election articles, and none concerned the right to vote. Georgia voters approved an amendment extending the time persons convicted of a felony involving moral turpitude would be ineligible for public office. The other two changes involved initiative and referendum sections or articles. In Montana, voters adopted a constitutional change that would automatically restore to the ballot a certified proposition after certain technical corrections were made. California voters rejected a proposal that would have required an election before changes in the initiative and referendum procedures could be adopted.

Three Branches of Government

Proposals to change the legislative, executive and judicial articles amounted to about one-third of the statewide propositions in 1990-1991. Those related to the legislative article overshadowed the others, claiming two-thirds of the proposals. But only 62 percent of the legislative measures were approved, a 10-point drop from the last biennium. While the approval rate of executive article measures was unusually high, that of the judiciary article propositions was uncharacteristically low. Moreover, the number of proposed judiciary changes was lower than usual.

The most significant proposals concerned term limitations. Of four on the ballot, all were approved by the voters except one that was on the same ballot in California as Proposition 140. (It is of interest that Washington voters defeated a statutory initiative that would have applied term limits to the state legislature, the governor and lieutenant governor, and members of Congress.)

California's Proposition 140, the "Political Reform Act of 1990," was the most far-reaching and controversial of the term limit proposals. It limited the terms of legislators and elected executive officers (except the insurance commissioner); prohibited legislators from earning state retirement benefits; and reduced substantially the total amount of legislative expenditures for salaries and operations (a 38 percent cut the first year). The proposition's constitutionality was challenged almost immediately. In *Legislature of California v. Eu*, 816 P.2d 1309 (Calif. 1991), the California Supreme Court sustained the constitutionality of all of the provisions, except one that terminated all rights to pensions by incumbent legislators. However, the ban on pensions for future legislators was upheld. The high court refused to hold that the proposition violated the single-subject rule or was a revision and not an amendment, that it violated federal and state voting and office-holding rights, or that it was a bill of attainder. The court agreed that the right of contract had been abridged by the pension section. The U.S. Supreme Court denied *certiorari* in 1992.

Under the California term limits, a person may not serve more than two terms in the state Senate or in the executive offices listed in the amendment and may not serve more than three terms in the lower house. While it constitutes a life-time ban on service in a given office, there is no prohibition against serving in another office for the time allowed. In Oklahoma, the first state to adopt term limits (Sept. 18, 1990), the constitutional initiative imposed the ban solely on legislators and limited their service to 12 years, however acquired — in one house or both. However, current legislators would be allowed 12 more years. Colorado's ban applies only to consecutive terms. No person may serve more than two consecutive terms; following a four-year break, an individual would again be eligible for office. The provision applies to legislators and certain elective executive branch officials.

Of four provisions on legislative compensation, two failed — a New Mexico measure to give legislators a monthly salary and increase per diem rates, and an Arkansas proposal for a compensation commission. California voters approved creation of a Citizens' Compensation Commission, which is empowered to determine salaries and medical, dental and other benefits of legislative and executive branch officers. In Texas, voters adopted an unusual approach to resolve the perennial problem of changing the legislative salary fixed by the state constitution. As part of the amendment establishing the Texas Ethics Commission, the proposal gives the commission the authority to recommend to the voters an increase in the annual legislative salary of $7,200, and larger increases for the presiding officers. Upon the voters' approval, the recommended new salaries would go into effect at the beginning of the next odd-numbered year. The amendment also allows the commission to set per diem amounts.

The Texas Ethics Commission was one of two created by constitutional amendment during the biennium. The other was in Oklahoma. Both are bipartisan commissions with enforcement power, whose members are appointed by several officers, and whose duties include conducting investigations and promulgating rules. In Texas, the new body will be responsible for campaign and lobby regulations. Oklahoma's commission can make rules applying to political campaigning, including that for initiative and referendum elections. A third ethics amendment during the biennium, a South Dakota proposal to relax conflict of interest regulations to a limited extent, was defeated.

Seven propositions dealt with apportionment. However, only two passed: the repeal of a separate state census in Massachusetts, and a Connecticut measure extending the time for adopting an apportionment plan after census figures are available. Two California amendments would have changed significantly the apportionment process; but embroiled in partisan politics, they were defeated. Three Hawaii proposals, all of which failed, would have replaced registered voters with population and made changes regarding island representation.

Of six proposals concerning legislative sessions, four passed. South Dakotans agreed to let their legislature call itself into special session, but Kentucky voters refused to do so. Also defeated was an effort to move from biennial to annual sessions in Oregon. Earlier convening dates for regular sessions of the Florida and Louisiana legislatures were approved by the voters of these states. In Hawaii, however, the voters denied the legislature discretion over recesses. Five proposed amendments concerned some aspect of legislative procedures. The most significant was a Florida "sunshine" measure, approved by the voters, which requires certain meetings to be open to the public, but gives the Legislature power to enforce compliance. Louisiana voters defeated a proposal that would have changed procedures for handling local and special bills, and North Dakota voters disapproved a change in the effective date for legislation. Others, which were approved, concerned the reading of bills (Mississippi) and various deadlines for gubernatorial review (California).

Among the remaining proposals to change the legislative article was the North Dakota proposition to remove the lieutenant governor as the presiding officer of the state Senate, which failed, and a Kentucky measure to allow the legislature to review administrative rules, which also was defeated. Adopted were a Mississippi amendment removing the legislative election of U.S. Senators and presidential electors and a Utah provision extending emergency powers to natural and manmade disasters.

Of the nine proposed amendments to the executive article, only one was rejected — a North Dakota proposal to transfer the auditor from the executive to the legislative branch. Three measures concerned with gubernatorial powers involved: clarifying state Senate action on recess appointments by the governor (Texas); ending the practice under the governor's partial veto power of forming new words by striking out letters (Wisconsin); and removing three minor officers from the governor's appointment power (Wyoming). Several of the proposals to change the administrative structure or powers were significant. Missouri voters approved creation of a state Department of Insurance that includes an Office of Consumer Affairs. In Louisiana, two civil service changes were adopted — one creating a separate police service and the other removing legislative authority to supplement uniform civil service pay. A Mississippi provision requiring the treasurer and the governor to count state revenues by hand twice a year was repealed.

Fundamental reforms were absent from the judicial article during the 1990-1991 biennium. However, new courts were authorized in two states — a family court in Nevada and a new appellate court in Nebraska. Moreover, various changes in jurisdiction were approved. In Arizona, justices of the peace and other inferior judges are allowed to hear cases based on an increase in the dollar amount for civil jurisdiction; and in Georgia, municipal courts are allowed to try state officers if they have legislative approval. The removal of workers' compensation from district courts to an administrative hearing officer was approved in Louisiana. In Georgia, a change in the filing of divorce cases was approved, and in Maryland, courts of appeals were given powers over clerks. Voters defeated proposals to: require more years of legal experience for district judges (Hawaii); give a judge who fills a vacancy more time to serve before standing for election (North Dakota); allow the legislature to regulate local court costs (Alabama); increase the number of commissioners (Washington); and allow the legislature to confer equity jurisdiction on more courts (Washington).

Local Government

Five proposed amendments promised significant organizational reform of local government (including one in the judicial article). Oregon voters ratified a measure that conferred the power of self-government on metropolitan service districts by means of district charters and included initiative and referendum powers. But significant changes in Kentucky, Washington and Mississippi failed to secure passage. The Kentucky amendment would have removed various constitutional limits on the state legislature by allowing it to grant municipal home rule, classify and regulate cities, and make other rules. One of the Washington propositions would have added new methods to make it easier for counties to adopt home rule charters. A second amendment from that state would have clarified how counties may be created and, for the first time, would have allowed counties to combine. In Mississippi, the requirement for five county supervisors would have been repealed, as well as the freeholder requirement for supervisors. Not a major reform, a sixth amendment, which was adopted, reduced the population needed to amend home rule charters in Texas.

State mandates were the subject of amendments approved by the voters of Louisiana and Florida. The provisions restricted the states' authority to impose burdens on local governments. The Louisiana amendment allows mandates provided the state appropriates money to cover costs borne by the local governments, opens up new revenue sources for them, or acts on approval by the local governing body. In Florida, the provisions are similar with the exception that, in general, mandates may be imposed by two-thirds of the state legislatures and local governments carry the legal burden of challenging illegal mandates.

Among local government proposals from other constitutional articles was a Missouri proposition, approved by the voters, that authorizes the state legislature to establish neighborhood improvement districts, and a Wyoming amendment that requires fees collected by sheriffs to be deposited in the county general fund. Other amendments concerned local finance.

Finance

Proposed amendments to the finance article are always numerous and invariably outnumber those to any other article in state constitutions. In 1990-1991, there were 62 proposals, including four from the debt article, which in a few state documents is separate from revenue and taxation or finance. Of these, 39 were approved, for a 63 percent success rate. In addition, proposed amendments to other articles also concern finance.

Taxes were the target of most amendments in the 1990-1991 biennium. There were a total of 34 tax measures, 27 on the property tax and seven on other taxes. The most restrictive of the state proposals were rejected. A Colorado proposition, the Taxpayers Bill of Rights, modeled in many respects after California's Proposition 13 (see *The Book of the States 1990-1991*), was defeated for the second time. The California Taxpayers Right-to-Vote Act, which would have placed additional restrictions on state and local governmental tax powers, also was rejected. By way of example, charter cities would not have been able to levy a general tax without a two-thirds vote of the governing body and a popular vote; also any state special tax enacted through the initiative process would have required a two-thirds vote of the electorate.

The most radical tax proposal was on the Montana ballot. It would have replaced most taxes (sales, property and income) with a 1 percent tax on financial transactions, but was not approved. The voters also killed a South Dakota proposition that would have imposed a maximum annual 2 percent increase on real property taxes. Oregon voters approved an amendment that substantially reduced property taxes dedicated to the public schools, but also provided for replacement revenue from state revenues. The measure sets up two categories of dedicated property taxes: taxes dedicated to the public schools and taxes dedicated for any other purpose. The maximum tax rate for schools will drop from $15 per $1,000 valuation to $5 in five years by stages. The maximum rate for the other category is to be maintained at a constant $10 per $1,000 valuation. The measure further directs the legislature to use the state general fund to replace revenue lost by the schools because of the tax limitations, but the replacement money would not be required after five years and would be limited by a 6 percent growth factor.

Three propositions prohibited certain taxes. Nevada voters approved for the second time a ban on the personal income tax (two approvals are necessary to effectuate a constitutional initiative). Louisiana voters adopted a prohibition against the local inheritance tax. But South Dakota voters rejected a proposition that would have prohibited the income tax unless revenues were dedicated to elementary and secondary education and a replacement for their property tax was levied.

Although the most restrictive tax measures failed, voters also were reluctant to adopt new taxes. California voters defeated two amendments that would have raised taxes on alcoholic beverages. In Georgia, voters rejected a measure that would have authorized the state legislature to allow local governments (whose ad valorem taxes were restricted by constitutional provisions) to impose a local use tax without a corresponding limit on the property tax. One approved tax measure will distribute one-third of the proceeds from the tax on lignite to parishes (counties) in Louisiana.

Amendments to add exemptions or tax breaks to property tax laws are most popular with the voters. In 1990-1991, there were 13 such proposals, of which 11 were approved. Examples of adopted exemptions include a California proposition to allow exemptions for earthquake-related repairs and construction, a Louisiana measure to use exemptions to help the homeless, and a Georgia proposition to encourage conservation. Two rejected measures concerned assistance for low-income housing in Washington and a free port exemption in free enterprise zones in Texas.

Among other tax proposals was a Louisiana measure authorizing a single local use and sales tax collector, which passed. Two others that would have changed vote requirements to make it easier to levy taxes or exceed certain limits failed in Missouri and Washington.

With respect to expenditures, ballot propositions in Louisiana, Nebraska and Colorado provided for general spending limits. Only the Louisiana proposal passed. It imposes an expenditure limit, and requires a balanced budget. The state legislature is given the responsibility for setting an expenditure limit determined by the prior year's expenditure level and a growth factor based on personal income growth. An Estimating Revenues Conference has the duty of providing for an official estimate of revenues every year; legislative appropriations are not to exceed the estimate. The conference is composed of the governor, the House speaker, the Senate president (or these officers' designees) and a university faculty member who is an expert on revenue forecasting. A unanimous vote of the members is necessary to make the estimates official. If the state legislature is unable in regular session to balance the budget, the governor must call a special session. Revenues in excess of the expenditure limit are to be deposited in a Revenue Stabilization/Mineral Trust Fund.

The defeated Nebraska amendment would have curbed state and local government spending by allowing a maximum 2 percent increase over the previous year's appropriations. The state limits could have been exceeded by a four-fifths vote of the state legislature, and the local limits, by a majority vote of the people in the locality. The Colorado provision was part of the Taxpayers Bill of Rights that went down to defeat.

On the other side of the spending coin, there were attempts to relax existing spending limits and to increase spending. California voters passed the Traffic Congestion Relief and Spending Limitation Act, which raises the expenditure limits and increases spending for transportation projects. But a second measure on an alcohol surtax was defeated. In addition to raising taxes, that measure also would have established spending levels on health and certain other programs above those prevailing before the surtax was levied. The most ambitious effort to guarantee levels of spending and exceed existing spending levels was the Arizona school reform measure (see discussion under *Functions, Amendments and Revisions, and Miscellaneous*, page 13).

Several proposed amendments focused on specific programs. Three concerned transportation. Voters in California and Oregon rejected measures to begin or increase spending on light rail or mass transit. In Texas, voters approved state spending on turnpikes, a change from the constitutional provisions that limited financing to toll revenues. Two Louisiana amendments to permit assistance for economic development failed. One would have allowed state and local governments to provide grants, loans and investments for education and economic development, if approved by two-thirds of their respective governing bodies. The other would have permitted local dedicated funds to be used for industrial development. A Wisconsin amendment that would have allowed the state to acquire or construct affordable housing for low- or moderate-income people was rejected, but a Georgia measure to indemnify licensed emergency research specialists killed or permanently injured while on duty was approved.

Several new funds were added to state constitutions during the 1990-1991 biennium. Five concerned natural resources. Two such funds were approved in North Dakota: the Resources Trust Fund and the Permanent Coal Development Fund. The first consists of a percentage of oil tax revenues and is to be spent on water projects and energy conservation. The second is a depository for coal severance tax proceeds, up to 50 percent of which are to be spent on lignite research, development and marketing. Louisiana voters approved the Mineral Revenue Audit and Settlement Fund to hold proceeds from legal settlements on mineral revenues. The money could be used for several purposes, including retiring the state debt. The Louisiana Revenue Stabilization/Mineral Trust Fund is to include a portion of mineral revenues, such as royalty payments and severance tax proceeds, in addition to excess revenues above the expenditure limit. The fifth fund is Alaska's Budget Reserve Fund, which also was adopted. It is to receive moneys resulting from litigation over taxes on minerals and mineral lease payments. Other funds approved by the voters were: the Higher Education Louisiana Partnership Fund, the Georgia Emerging Crop Loan Fund, and the Alabama Penny Trust Fund. The Alabama fund is to receive voluntary donations from citizens, with the income from the perpetual trust fund used to promote public health and education.

A few amendments concerned the administration of funds. Texas voters agreed to give veterans loan program administrators more discretion in investments, but not state retirement fund administrators. Louisiana voters agreed to place limits on the state's Quality Education Support Fund.

State constitutions typically include debt limits, which are frequently changed for specific projects requiring borrowed money. During the 1990-1991 biennium, the Texas Constitution was amended to substitute a mandatory referendum on debt for constitutional amendments to incur debt. In addition to the referendum, bond issues will also require the approval of two-thirds of the members of the state legislature. In this way, the constitution will not be filled with authorizations for bonds. Acting under the provision before the new amendment, Texas voters approved a $1.1 billion bond issue for the construction of various public facilities such as prisons. They also approved an increase in the proportion of a current bond program for water and sewer projects in the "colonias," economically-distressed areas primarily in South Texas. After an initial rejection of a proposal for additional bonds to finance college student loans, the Texas electorate supported the bonds in a second election. An Alabama proposition to allow state bonds for the improvement of docks and a federal channel was adopted, but Virginia propositions to use bonds for transportation projects at the state and local level failed at the polls. The remaining proposals concerned local debt and borrowing. The voters said "no" to new debt or extended debt periods in New Mexico and Arizona, but "yes" to allowing bonds for the purchase of public utilities and for economic development in Oklahoma.

Functions, Amendments and Revisions, and Miscellaneous

Most contemporary state constitutions contain separate articles on governmental policies or functions important to the particular state, primarily in the areas of education, corporations, health and welfare and natural resources/conservation. But policy provisions also are in other articles. As a result, amendments that alter the education and other policy articles are not indicative of all policy changes in a given biennium.

The total number of proposed changes to the policy articles in 1990-1991 increased to 29, seven more than two years ago. The number of approvals was about the same (18 instead of 17), for a current approval rate of 62 percent. Education proposals accounted for more than half (15) of the proposals and about half (eight) of the approvals as well. The subjects of the other amendments were so varied that no significant patterns are discernible.

Two significant public education reforms, one in Oregon and the other in Arizona, were rejected. The Oregon reform would have provided for "open enrollment" in which public school students could attend schools outside their districts. Parents of students who attended private school (secular, religious, or institutional) or received "home basic instruction" would have been eligible for income tax credits. To cover the costs of the program, an education choice fund would have been established. In addition, voter approval would have been necessary for new, more restrictive laws on "non-government basic education."

The three goals of the Arizona Classroom Improvement Program were: to improve student performance on basic skills, to reduce drop outs, and to prepare students better for employment and higher education. To reach the goals, school districts, with the participation of parents, teachers and others, would have been required to prepare annual report cards on their progress toward achieving the goals. Constitutional expenditure limits would have changed, with guaranteed levels of minimum funding established. Specifically required was an increase in funding by $100 per student per year compounded annually over the next 10 years. According to the pamphlet distributed to voters, the proposition was supported by "one of the largest coalitions of parents, educators, business leaders and taxpayers in Arizona's history." Former U.S. senator and Republican presidential standard bearer Barry Goldwater was one of the supporters.

At the higher education level, Georgia voters approved an innovative plan which has been considered by a number of states recently. Its purpose is to assist students and parents in financing a college education by establishing an Education Trust Fund to guarantee advance payment of tuition contracts with state revenues. The contracts are made with the fund. Another successful higher education measure was a Nebraska proposition establishing the Coordinating Commission for Post Secondary Education, with authority to coordinate the campuses of the University of Nebraska, the state colleges and the community colleges. It authorizes comprehensive planning and other activities. Louisiana voters, on the other hand, defeated a reorganization of the Louisiana Board of Regents that would have included the development of a comprehensive plan. Also defeated for the second time was a North Dakota measure to change the composition of the State Board of Higher Education.

Oklahoma voters defeated the proposed reorganization of the State Board of Education, but Kansas voters agreed to let their state legislature decide whether the state school board should be elected or appointed. Other approved proposals involved: permitting elected school superintendents to become members of the teachers' retirement system (Alabama); diverting income from forfeitures from the Literary Fund to law enforcement (Virginia); and increasing the investment discretion of the permanent school fund (New Mexico). Oklahoma voters disapproved a proposal that would have allowed the legislature to change the compulsory school age.

Three adopted amendments changed prison administration. A California measure allows private contractors to hire prison and jail inmates for employment subject to various regulations. Previously, the state constitution prohibited such contracts. A Mississippi amendment authorizes a non-profit corporation to manage prisons and run reform schools. A third provision, previously mentioned, repeals compulsory racial segregation of inmates.

Two New York propositions were adopted: one increases the amount of bonds the state can guarantee under the Job Development Authority; the other removes a 109-year ban on canal tolls and allows the state to grant leases for occupancy or use of barge canal lands.

California voters approved a proposition on marine resources, which provides among other things for the establishment of a marine protection zone, the eventual prohibition of certain nets, and the formation of new ocean water ecological reserves. Another pro-environmental measure was approved in Oregon. It expands the use of general obligation bond proceeds for pollution and waste control facilities to include the clean-up of hazardous waste sites. A third resources item that was rejected in Alabama would have promoted forestry and fire protection on forest property by means of a special fund. In Oklahoma, two measures were on the ballot to amend the articles on alcoholic beverages: one allowing liquor stores to stay open during franchise elections was defeated; a second giving more discretion to the state to regulate state workers in alcohol-related businesses was passed.

During the 1990-1991 biennium, no amendments were proposed to change the articles on amendment and revision of state constitutions. Two years ago, five amendments, two of which were approved, were on the ballot. No general revision propositions were on the ballot in either the 1990-1991 or 1988-1989 biennia.

Most state charters contain a miscellaneous or general provisions article for propositions that apply to more than one article or that do not fit anywhere else. For convenience, the 1990 Colorado clean-up amendment, affecting six articles, is classified here as "miscellaneous." Counting the Colorado measure, there were 15 proposed amendments to the miscellaneous article and nine adoptions, compared with 12 proposals and nine adoptions two years ago.

Three constitutional amendments concerned state retirement systems and two were adopted. Voters in Wyoming and Maine approved protection of the rights of system members and their beneficiaries. Although not explicitly mentioned, the proposals would protect the systems from legislative raiding of their funds for purposes such as balancing the budget. The defeated Texas amendment would have allowed more discretion in the investment of the funds specifically in real estate, which was perceived as too risky.

Other significant proposals: authorize the state legislature to create a private, nonprofit corporation to provide workers compensation (Louisiana, approved); would have allowed the state to insure payment of mortgage loans for affordable housing (Maine, rejected); and would have provided for controls on interest rates, including consumer loans (Arkansas, rejected). In Mississippi, voters approved two amendments to remove outdated provisions, one on confederate pensions and the other on boundaries.

The remaining provisions concerned lotteries and gambling. Included in this review are propositions on these subjects from other articles. In 1990-1991, six lottery proposals were on the ballot, and all but one were adopted. Voters approved the establishment of state lotteries in Texas and Louisiana. In Nevada, they approved raffles and drawings that are called lotteries, without changing the ban on a state lottery. In Nebraska, voters rejected a "Nebraska State Lottery System," which would have allowed certain nonprofit organizations to conduct "electronic lotteries" through 1995. The proposal would have set up a Nebraska State Veterans Aid Fund. The remaining two ballot propositions dedicate state lottery proceeds for certain purposes: 40 percent to the environmental fund (Minnesota) and 100 percent for education (New Hampshire).

Five propositions concerned gambling, and a sixth, bingo. Three were local amendments. Only two of the six were passed. North Dakota voters rejected two amendments, one local and one statewide. The local amendment would have allowed games of chance for profit in one township only. The statewide proposition would have required the legislature to authorize private citizens and groups, as well as nonprofit organizations, to conduct games of chance on electronic video gaming devices that would be placed only in establishments licensed to sell alcoholic beverages. Ohio voters turned down a local amendment to allow a casino resort hotel in one city as a pilot project. A Colorado local amendment permitting gambling in three cities was approved, as was a Delaware amendment allowing wagering on horse races by parimutuel machines. Missouri voters rejected a proposal that would have removed advertising restrictions for bingo games.

Sources and Resources

In 1990-1991, significant new publications were added to the large and growing body of literature on state constitutions and state constitutional law. This is a good indicator of the renewed interest in and vitality of state constitutions today.

The U.S. Advisory Commission on Intergovernmental Relations, whose support for research on state constitutions was mentioned in this review two years ago, featured state bills of rights in the fall 1991 issue of *Intergovernmental Perspective* (Vol. 17, No. 4). Entitled, "Federalism and Constitutional Rights," the issue contains 11 articles, among them: "Rights: The States and the Federal Government," "The Legacy of 19th Century State Bills of Rights," "The State Foundations of the U.S. Bill of Rights," and "Amending State Bills of Rights: Do the Voters Reduce Rights?" *State Constitutional Law Bulletin*, a monthly periodical first published in December 1987 by the National Association of Attorneys General, began its fifth year in 1992. However, the attorneys general ceased publication of *Emerging Issues in State Constitutional Law*, an annual law review, in 1991 after four volumes. Future coverage of emerging issues will appear annually in the *Temple Law Review* (Temple University Law School). Also, the attorneys general no longer hold an annual seminar on state constitutional law; the third and final meeting took place in San Francisco in 1990. The first two volumes (eight issues) of *State Constitutional Commentaries and Notes*, a quarterly review published by the Edward McNall Burns Center for State

Constitutional Studies at Rutgers University in New Brunswick, N.J., have been completed; the third volume is underway. An anthology of essays on state constitutions also is planned. Following the inaugural review of state constitutional law in the 1989 *Rutgers Law Journal* (Rutgers University School of Law at Camden, N.J.), two more annual reviews have been published, the latest in 1992.

During 1990-1991, the Montana and the Texas constitutions were highlighted by special law review editions. The summer 1990 issue of the *Montana Law Review* (Vol. 51, No. 2), "Law School Symposium of the 1972 Constitution," was an outgrowth of "Constitutional Symposium '89," a conference attended by legal scholars and citizens prior to the November 1990 election at which a referendum on a convention call was on the ballot. The *Texas Law Review* in the issue, "Symposium on the Texas Constitution," (June 1990, Vol. 68, No. 7) printed papers originally presented at an October 1989 conference on the state's constitution at the University of Texas Law School. The *Oklahoma City University Law Review* is scheduled to feature the Oklahoma Constitution and commentary in the summer of 1992. Also of interest is a review of New York constitutional law in *Tuoro Law Review* (Fall 1991, Vol. 8, No. 1): "Annual Issue on New York State Constitutional Law."

New books on state constitutions were released during the biennium. Five volumes of the projected 52-volume series on state constitutions edited by G. Alan Tarr and published by the Greenwood Publishing Group were completed. They are: *New Jersey*, by Robert F. Williams; *New York*, by Peter G. Galie; *Tennessee*, by Lewis L. Laska; *Florida*, by Talbot D'Alemberta; and *Louisiana*, by Lee Hargrave. Another book published by Greenwood but not in the series is *State Constitutions and Criminal Justice* by Barry Latzer. Ready for publication in 1992 is *Idaho's Constitution: The Tie That Binds* by Dennis C. Colson, to be published by the University of Idaho Press. In 1991 Banks-Baldwin Law Publishing released the *Ohio Constitution Handbook* by Thomas R. Swisher. Also made available during the biennium was *Toward a Usable Past: Liberty Under State Constitutions*, Paul Finkelman and Stephen Gottlieb, editors, published by the University of Georgia Press. Scheduled for release in 1992 is a new case book from Carolina Press by Ronald K.L. Collins, David Skover, Niel Cogan and David Schuman entitled *State Constitutions and Individual Rights: Constitutions, Cases, and Commentaries.*

Proceedings of the two-day conference in Anchorage on "The Future of Alaska's Constitution," Nov. 15-16, 1991, are expected to be made available in 1992. At the conference a bibliography on state constitutions was distributed and copies of Gordon S. Harrison's *Alaska's Constitution, A Citizen's Guide* were exhibited. The first edition of the *Guide* was prepared in 1982 to provide useful information in time for the mandatory referendum on a convention call in November 1982. Published in 1986, the second edition was written in response to a demand for basic information about state government and will provide a resource for the 1992 election. The *Guide* is published by the University of Alaska. Another publication designed for citizens is *Our Texas Bill of Rights*, written by James C. Harrington in 1991. The Texas Civil Rights Project is the publisher. The 39-page booklet includes a comparison of the U.S. Bill of Rights with the Texas Bill of Rights.

An important development during the biennium was the creation in May 1991 of the Committee on State Constitutional Rights by the Individual Rights and Responsibilities (IR&R) Section of the American Bar Association. According to *Human Rights* (Winter 1992, Vol. 19, No. 1), a publication of the IR&R Section, the goal of the committee "is to ensure the continued growth and protection of human rights in this nation by enhancing the bar's awareness, use and development of state constitutions."

The selected list of references at the end of this summary analysis includes several works of particular significance: *Sources and Documents of United States Constitution* (edited and annotated by William F. Swindler with Donald Musch) designed to integrate national and state constitutional documents into a reference collection on American constitutional developments; *Model State Constitution*, first published by the National Municipal League in 1923 and since revised six times; and the *Index Digest of State Constitutions* prepared by the Legislative Drafting Research Fund of Columbia University. The selected list necessarily excludes many specific items developed for constitutional reform of particular state constitutions, including official documents, special studies, and a vast quantity of ephemeral material stored in state libraries and archives. Of particular value are the complete, annotated, and comparative analyses of the Illinois and Texas constitutions, prepared for delegates to the constitutional conventions of those states. Also excluded from the list are numerous materials prepared by groups long identified with state constitutions, the League of Women Voters, the National Civic League, and The Council of State Governments. Excepting the holdings of the Library of Congress, probably the most extensive collection of fugitive and published materials are those of the National Civic League and The Council of State Governments.

Sources of periodic reviews and updates of state constitutional developments include the biennial summary of official activities in *The Book of the States*. The 1982-83 volume featured a 50-year review of state constitutional history and bibliography. From 1982-1986, Ronald K.L. Collins authored articles on state constitutional law that appeared periodically in *The National Law Journal*. From 1970 through 1985, Albert L. Sturm contributed an annual survey of state constitutional developments to the *National Civic Review*.

Note

[1] Donna Blanton, "The Taxation and Budget Reform Commission: Florida's Best Hope for the Future," *Florida State University Law Review* 18 (Winter 1991): 437-465. At p. 442 editorials expressing hopes for the commission are quoted.

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Table 1.1
GENERAL INFORMATION ON STATE CONSTITUTIONS
(As of January 1, 1992)

State or other jurisdiction	*Number of constitutions**	*Dates of adoption*	*Effective date of present constitution*	*Estimated length (number of words)*	*Number of amendments*	
					Submitted to voters	*Adopted*
Alabama	6	1819, 1861, 1865, 1868, 1875, 1901	Nov. 28, 1901	174,000	759	538
Alaska	1	1956	Jan. 3, 1959	13,000	32	23
Arizona	1	1911	Feb. 14, 1912	28,876 (a)	204	111
Arkansas	5	1836, 1861, 1864, 1868, 1874	Oct. 30, 1874	40,720 (a)	167	77 (b)
California	2	1849, 1879	July 4, 1879	33,350	800	480
Colorado	1	1876	Aug. 1, 1876	45,679	243	118
Connecticut	4	1818 (c), 1965	Dec. 30, 1965	9,564	27	26
Delaware	4	1776, 1792, 1831, 1897	June 10, 1897	19,000	(d)	121
Florida	6	1839, 1861, 1865, 1868, 1886, 1968	Jan. 7, 1969	25,100	83	57
Georgia	10	1777, 1789, 1798, 1861, 1865, 1868, 1877, 1945, 1976, 1982	July 1, 1983	25,000	44 (e)	32
Hawaii	1 (f)	1950	Aug. 21, 1959	17,453 (a)	98	82
Idaho	1	1889	July 3, 1890	21,500	188	108
Illinois	4	1818, 1848, 1870, 1970	July 1, 1971	13,200	12	7
Indiana	2	1816, 1851	Nov. 1, 1851	9,377 (a)	70	38
Iowa	2	1846, 1857	Sept. 3, 1857	12,500	51	48 (g)
Kansas	1	1859	Jan. 29, 1861	11,865	116	88
Kentucky	4	1792, 1799, 1850, 1891	Sept. 28, 1891	23,500	62	30
Louisiana	11	1812, 1845, 1852, 1861, 1864, 1868, 1879, 1898, 1913, 1921, 1974	Jan. 1, 1975	51,448 (a)	74	46
Maine	1	1819	March 15, 1820	13,500	188	158 (h)
Maryland	4	1776, 1851, 1864, 1867	Oct. 5, 1867	41,349 (a)	235	202
Massachusetts	1	1780	Oct. 25, 1780	36,690 (a,i)	144	117
Michigan	4	1835, 1850, 1908, 1963	Jan. 1, 1964	20,000	47	16
Minnesota	1	1857	May 11, 1858	9,500	207	113
Mississippi	4	1817, 1832, 1869, 1890	Nov. 1, 1890	24,000	140	108
Missouri	4	1820, 1865, 1875, 1945	March 30, 1945	42,000	119	76
Montana	2	1889, 1972	July 1, 1973	11,866 (a)	27	16
Nebraska	2	1866, 1875	Oct. 12, 1875	20,048 (a)	289	193
Nevada	1	1864	Oct. 31, 1864	20,770	178	111 (g)
New Hampshire	2	1776, 1784	June 2, 1784	9,200	277 (j)	143 (j)
New Jersey	3	1776, 1844, 1947	Jan. 1, 1948	17,086	53	40
New Mexico	1	1911	Jan. 6, 1912	27,200	236	121
New York	4	1777, 1822, 1846, 1894	Jan. 1, 1895	80,000	277	210
North Carolina	3	1776, 1868, 1970	July 1, 1971	11,000	34	27
North Dakota	1	1889	Nov. 2, 1889	20,564	231 (k)	127 (k)
Ohio	2	1802, 1851	Sept. 1, 1851	36,900	248	147
Oklahoma	1	1907	Nov. 16, 1907	68,800	287 (l)	141 (l)
Oregon	1	1857	Feb. 14, 1859	26,090	375	192
Pennsylvania	5	1776, 1790, 1838, 1873, 1968 (m)	1968 (m)	21,675	25 (m)	19 (m)
Rhode Island	2	1842 (c)	May 2, 1843	19,026 (a,i)	99	53
South Carolina	7	1776, 1778, 1790, 1861, 1865, 1868, 1895	Jan. 1, 1896	22,500 (n)	648 (o)	463
South Dakota	1	1889	Nov. 2, 1889	23,300	190	98
Tennessee	3	1796, 1835, 1870	Feb. 23, 1870	15,300	55	32
Texas	5	1845, 1861, 1866, 1869, 1876	Feb. 15, 1876	62,000	499	339
Utah	1	1895	Jan. 4, 1896	11,000	128	79
Vermont	3	1777, 1786, 1793	July 9, 1793	6,600	208	50
Virginia	6	1776, 1830, 1851, 1869, 1902, 1970	July 1, 1971	18,500	27	22
Washington	1	1889	Nov. 11, 1889	29,400	156	86
West Virginia	2	1863, 1872	April 9, 1872	25,600	107	62
Wisconsin	1	1848	May 29, 1848	13,500	169	125 (g)
Wyoming	1	1889	July 10, 1890	31,800	101	61
American Samoa	2	1960, 1967	July 1, 1967	6,000	14	7
No. Mariana Islands	1	1977	Jan. 9, 1978	11,000	47 (p)	45 (p,q)
Puerto Rico	1	1952	July 25, 1952	9,281 (a)	6	6

GENERAL INFORMATION ON STATE CONSTITUTIONS—Continued

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* The constitutions referred to in this table include those Civil War documents customarily listed by the individual states.

(a) Actual word count.

(b) Eight of the approved amendments have been superseded and are not printed in the current edition of the constitution. The total adopted does not include five amendments that were invalidated.

(c) Colonial charters with some alterations served as the first constitutions in Connecticut (1638, 1662) and in Rhode Island (1663).

(d) Proposed amendments are not submitted to the voters in Delaware.

(e) The new Georgia constitution eliminates the need for local amendments, which have been a long-term problem for state constitution makers.

(f) As a kingdom and a republic, Hawaii had five constitutions.

(g) The figure given includes amendments approved by the voters and later nullified by the state supreme court in Iowa (three), Kansas (one), Nevada (six) and Wisconsin (two).

(h) The figure does not include one amendment approved by the voters in 1967 that is inoperative until implemented by legislation.

(i) The printed constitution includes many provisions that have been annulled. The length of effective provisions is an estimated 24,122 words (12,400 annulled) in Massachusetts and, in Rhode Island before the "rewrite" of the constritution in 1986, it was 11,399 words (7,627 annulled).

(j) The constitution of 1784 was extensively revised in 1792. Figures show proposals and adoptions since the constitution was adopted in 1784.

(k) The figures do not include submission and approval of the constitution of 1889 itself and of Article XX; these are constitutional questions included in some counts of constitutional amendments and would add two to the figure in each column.

(l) The figures include five amendments submitted to, and approved by the voters which were, by decisions of the Oklahoma or U.S. Supreme Courts, rendered inoperative or ruled invalid, unconstitutional, or illegally submitted.

(m) Certain sections of the constitution were revised by the limited constitutional convention of 1967-68. Amendments proposed and adopted are since 1968.

(n) Of the estimated length, approximately two-thirds is of general statewide effect; the remainder is local amendments.

(o) As of 1981, of the 626 proposed amendments submitted to the voters, 130 were of general statewide effect and 496 were local; the voters rejected 83 (12 statewide, 71 local). Of the remaining 543, the General Assembly refused to approve 100 (22 statewide, 78 local), and 443 (96 statewide, 347 local) were finally added to the constitution.

(p) The number of amendments is from 1984-1992.

(q) The total excludes one amendment ruled void by a federal district court.

Table 1.2
CONSTITUTIONAL AMENDMENT PROCEDURE: BY THE LEGISLATURE
Constitutional Provisions

State or other jurisdiction	*Legislative vote required for proposal* (a)	*Consideration by two sessions required*	*Vote required for ratification*	*Limitation on the number of amendments submitted at one election*
Alabama	3/5	No	Majority vote on amendment	None
Alaska	2/3	No	Majority vote on amendment	None
Arizona	Majority	No	Majority vote on amendment	None
Arkansas	Majority	No	Majority vote on amendment	3
California	2/3	No	Majority vote on amendment	None
Colorado	2/3	No	Majority vote on amendment	None (b)
Connecticut	(c)	(c)	Majority vote on amendment	None
Delaware	2/3	Yes	Not required	No referendum
Florida	3/5	No	Majority vote on amendment	None
Georgia	2/3	No	Majority vote on amendment	None
Hawaii	(d)	(d)	Majority vote on amendment (e)	None
Idaho	2/3	No	Majority vote on amendment	None
Illinois	3/5	No	(f)	3 articles
Indiana	Majority	Yes	Majority vote on amendment	None
Iowa	Majority	Yes	Majority vote on amendment	None
Kansas	2/3	No	Majority vote on amendment	5
Kentucky	3/5	No	Majority vote on amendment	4
Louisiana	2/3	No	Majority vote on amendment (g)	None
Maine	2/3 (h)	No	Majority vote on amendment	None
Maryland	3/5	No	Majority vote on amendment	None
Massachusetts	Majority (i)	Yes	Majority vote on amendment	None
Michigan	2/3	No	Majority vote on amendment	None
Minnesota	Majority	No	Majority vote in election	None
Mississippi	2/3 (j)	No	Majority vote on amendment	None
Missouri	Majority	No	Majority vote on amendment	None
Montana	2/3 (h)	No	Majority vote on amendment	None
Nebraska	3/5	No	Majority vote on amendment (e)	None
Nevada	Majority	Yes	Majority vote on amendment	None
New Hampshire	3/5	No	2/3 vote on amendment	None
New Jersey	(k)	(k)	Majority vote on amendment	None (l)
New Mexico	Majority (m)	No	Majority vote on amendment (m)	None
New York	Majority	Yes	Majority vote on amendment	None
North Carolina	3/5	No	Majority vote on amendment	None
North Dakota	Majority	No	Majority vote on amendment	None
Ohio	3/5	No	Majority vote on amendment	None
Oklahoma	Majority	No	Majority vote on amendment	None
Oregon	(n)	No	Majority vote on amendment	None
Pennsylvania	Majority (o)	Yes (o)	Majority vote on amendment	None
Rhode Island	Majority	No	Majority vote on amendment	None
South Carolina	2/3 (p)	Yes (p)	Majority vote on amendment	None
South Dakota	Majority	No	Majority vote on amendment	None
Tennessee	(q)	Yes (q)	Majority vote in election (r)	None
Texas	2/3	No	Majority vote on amendment	None
Utah	2/3	No	Majority vote on amendment	None
Vermont	(s)	Yes	Majority vote on amendment	None
Virginia	Majority	Yes	Majority vote on amendment	None
Washington	2/3	No	Majority vote on amendment	None
West Virginia	2/3	No	Majority vote on amendment	None
Wisconsin	Majority	Yes	Majority vote on amendment	None
Wyoming	2/3	No	Majority vote in election	None
American Samoa	2/3	No	Majority vote on amendment (t)	None
No. Mariana Islands	3/4	No	Majority vote on amendment	None
Puerto Rico	2/3 (u)	No	Majority vote on amendment	3

CONSTITUTIONAL AMENDMENT PROCEDURE: BY THE LEGISLATURE—Continued

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(a) In all states not otherwise noted, the figure shown in the column refers to the proportion of elected members in each house required for approval of proposed constitutional amendments.

(b) Legislature may not propose amendments to more than six articles of the constitution in the same legislative session.

(c) Three-fourths vote in each house at one session, or majority vote in each house in two sessions between which an election has intervened.

(d) Two-thirds vote in each house at one session, or majority vote in each house in two sessions.

(e) Majority vote on amendment must be at least 50 percent of the total votes cast at the election; or, at a special election, a majority of the votes tallied which must be at least 30 percent of the total number of registered voters.

(f) Majority voting in election or three-fifths voting on amendment.

(g) If five or fewer political subdivisions of the state are affected, majority in state as a whole and also in affected subdivision(s) is required.

(h) Two-thirds of both houses.

(i) Majority of members elected sitting in joint session.

(j) The two-thirds must include not less than a majority elected to each house.

(k) Three-fifths of all members of each house at one session, or majority of all members of each house for two successive sessions.

(l) If a proposed amendment is not approved at the election when submitted, neither the same amendment nor one which would make substantially the same change for the constitution may be again submitted to the people before the third general election thereafter.

(m) Amendments concerning certain elective franchise and education matters require three-fourths vote of members elected and approval by three-fourths of electors voting in state and two-thirds of those voting in each county.

(n) Majority vote to amend constitution, two-thirds to revise ("revise" includes all or a part of the constitution).

(o) Emergency amendments may be passed by two-thirds vote of each house, followed by ratification by majority vote of electors in election held at least one month after legislative approval.

(p) Two-thirds of members of each house, first passage; majority of members of each house after popular ratification.

(q) Majority of members elected to both houses, first passage; two- thirds of members elected to both houses, second passage.

(r) Majority of all citizens voting for governor.

(s) Two-thirds vote senate, majority vote house, first passage; majority both houses, second passage. As of 1974, amendments may be submitted only every four years.

(t) Within 30 days after voter approval, governor must submit amendment(s) to U.S. Secretary of the Interior for approval.

(u) If approved by two-thirds of members of each house, amendment(s) submitted to voters at special referendum; if approved by not less than three-fourths of total members of each house, referendum may be held at next general election.

Table 1.3
CONSTITUTIONAL AMENDMENT PROCEDURE: BY INITIATIVE
Constitutional Provisions

State or other jurisdiction	*Number of signatures required on initiative petition*	*Distribution of signatures*	*Referendum vote*
Arizona	15% of total votes cast for all candidates for governor at last election.	None specified.	Majority vote on amendment.
Arkansas	10% of voters for governor at last election.	Must include 5% of voters for governor in each of 15 counties.	Majority vote on amendment.
California	8% of total voters for all candidates for governor at last election.	None specified.	Majority vote on amendment.
Colorado	5% of total legal votes for all candidates for secretary of state at last general election.	None specified.	Majority vote on amendment.
Florida	8% of total votes cast in the state in the last election for presidential electors.	8% of total votes cast in each of 1/2 of the congressional districts.	Majority vote on amendment.
Illinois (a)	8% of total votes cast for candidates for governor at last election.	None specified.	Majority voting in election or 3/5 voting on amendment.
Massachusetts (b)	3% of total votes cast for governor at preceding biennial state election (not less than 25,000 qualified voters).	No more than 1/4 from any one county.	Majority vote on amendment which must be 30% of total ballots cast at election.
Michigan	10% of total voters for all candidates at last gubernatorial election.	None specified.	Majority vote on amendment.
Missouri	8% of legal voters for all candidates for governor at last election.	The 8% must be in each of 2/3 of the congressional districts in the state.	Majority vote on amendment.
Montana	10% of qualified electors, the number of qualified electors to be determined by number of votes cast for governor in preceding general election.	The 10% to include at least 10% of qualified electors in each of 2/5 of the legislative districts.	Majority vote on amendment.
Nebraska	10% of total votes for governor at last election.	The 10% must include 5% in each of 2/5 of the counties.	Majority vote on amendment which must be at least 35% of total vote at the election.
Nevada	10% of voters who voted in entire state in last general election.	10% of total voters who voted in each of 75% of the counties.	Majority vote on amendment. in two consecutive general elections.
North Dakota	4% of population of the state.	None specified.	Majority vote on amendment.
Ohio	10% of total number of electors who voted for governor in last election.	At least 5% of qualified electors in each of 1/2 of counties in the state.	Majority vote on amendment.
Oklahoma	15% of legal voters for state office receiving highest number of voters at last general state election.	None specified.	Majority vote on amendment.
Oregon	8% of total votes for all candidates for governor at last election at which governor was elected for four-year term.	None specified.	Majority vote on amendment.
South Dakota	10% of total votes for governor in last election.	None specified.	Majority vote on amendment.
No. Mariana Islands	50% of qualified voters of commonwealth	In addition, 25% of qualified voters in each senatorial district	Majority vote on amendment if legislature approved it by majority vote; if not, at least 2/3 vote in each of two senatorial districts in addition to a majority vote.

(a) Only Article IV, the Legislature, may be amended by initiative petition.

(b) Before being submitted to the electorate for ratification, initiative measures must be approved at two sessions of a successively elected legislature by not less than one-fourth of all members elected, sitting in joint session.

Table 1.4
PROCEDURES FOR CALLING CONSTITUTIONAL CONVENTIONS
Constitutional Provisions

State or other jurisdiction	*Provision for convention*	*Legislative vote for submission of convention question* (a)	*Popular vote to authorize convention*	*Periodic submission of convention question required* (b)	*Popular vote required for ratification of convention proposals*
Alabama	Yes	Majority	ME	No	Not specified
Alaska	Yes	No provision (c,d)	(c)	10 years (c)	Not specified (c)
Arizona	Yes	Majority	(e)	No	MP
Arkansas	No		No		
California	Yes	2/3	MP	No	MP
Colorado	Yes	2/3	MP	No	ME
Connecticut	Yes	2/3	MP	20 years (f)	MP
Delaware	Yes	2/3	MP	No	No provision
Florida	Yes	(g)	MP	No	Not specified
Georgia	Yes	(d)	No	No	MP
Hawaii	Yes	Not specified	MP	9 years	MP (h)
Idaho	Yes	2/3	MP	No	Not specified
Illinois	Yes	3/5	(i)	20 years; 1988	MP
Indiana	No		No		
Iowa	Yes	Majority	MP	10 years; 1970	MP
Kansas	Yes	2/3	MP	No	MP
Kentucky	Yes	Majority (j)	MP (k)	No	No provision
Louisiana	Yes	(d)	No	No	MP
Maine	Yes	(d)	No	No	No provision
Maryland	Yes	Majority	ME	20 years; 1970	MP
Massachusetts	No			No	Not specified
Michigan	Yes	Majority	MP	16 years; 1978	MP
Minnesota	Yes	2/3	ME	No	3/5 voting on proposal
Mississippi	No		No		
Missouri	Yes	Majority	MP	20 years; 1962	Not specified (l)
Montana	Yes (m)	2/3 (n)	MP	20 years	MP
Nebraska	Yes	3/5	MP (o)	No	MP
Nevada	Yes	2/3	ME	No	No provision
New Hampshire	Yes	Majority	MP	10 years	2/3 voting on proposal
New Jersey	No		No		
New Mexico	Yes	2/3	MP	No	Not specified
New York	Yes	Majority	MP	20 years; 1957	MP
North Carolina	Yes	2/3	MP	No	MP
North Dakota	No		No		
Ohio	Yes	2/3	MP	20 years; 1932	MP
Oklahoma	Yes	Majority	(e)	20 years	MP
Oregon	Yes	Majority	(e)	No	No provision
Pennsylvania	No		No		
Rhode Island	Yes	Majority	MP	10 years	MP
South Carolina	Yes	(d)	ME	No	No provision
South Dakota	Yes	(d)	(d)	No	(p)
Tennessee	Yes (q)	Majority	MP	No	MP
Texas	No		No		
Utah	Yes	2/3	ME	No	MP
Vermont	No		No		
Virginia	Yes	(d)	No	No	MP
Washington	Yes	2/3	ME	No	Not specified
West Virginia	Yes	Majority	MP	No	Not specified
Wisconsin	Yes	Majority	MP	No	No provision
Wyoming	Yes	2/3	ME	No	Not specified
American Samoa	Yes	(r)	No	No	ME (s)
No. Mariana Islands	Yes	Majority (t)	2/3	No (u)	MP and at least 2/3 in each of 2 senatorial districts
Puerto Rico	Yes	2/3	MP	No	MP

See footnotes at end of table.

PROCEDURES FOR CALLING CONSTITUTIONAL CONVENTIONS—Continued

Key:
MP — Majority voting on the proposal.
ME — Majority voting in the election.

(a) In all states not otherwise noted, the entries in this column refer to the proportion of members elected to each house required to submit to the electorate the question of calling a constitutional convention.

(b) The number listed is the interval between required submissions on the question of calling a constitutional convention; where given, the date is that of the first required submission of the convention question.

(c) Unless provided otherwise by law, convention calls are to conform as nearly as possible to the act calling the 1955 convention, which provided for a legislative vote of a majority of members elected to each house and ratification by a majority vote on the proposals. The legislature may call a constitutional convention at any time.

(d) In these states, the legislature may call a convention without submitting the question to the people. The legislative vote required is two-thirds of the members elected to each house in Georgia, Louisiana, South Carolina and Virginia; two-thirds concurrent vote of both branches in Maine; three-fourths of all members of each house in South Dakota; and not specified in Alaska, but bills require majority vote of membership of each house. In South Dakota, the question of calling a convention may be initiated by the people in the same manner as an amendment to the constitution (see Table 1.3) and requires a majority vote on the question for approval.

(e) The law calling a convention must be approved by the people.

(f) The legislature shall submit the question 20 years after the last convention, or 20 years after the last vote on the question of calling a convention, whichever date is last.

(g) The power to call a convention is reserved to the people by petition.

(h) The majority must be 50 percent of the total votes cast at a general election or at a special election, a majority of the votes tallied which must be at least 30 percent of the total number of registered voters.

(i) Majority voting in the election, or three-fifths voting on the question.

(j) Must be approved during two legislative sessions.

(k) Majority must equal one-fourth of qualified voters at last general election.

(l) Majority of those voting on the proposal is assumed.

(m) The question of calling a constitutional convention may be submitted either by the legislature or by initiative petition to the secretary of state in the same manner as provided for initiated amendments (see Table 1.3).

(n) Two-thirds of all members of the legislature.

(o) Majority must be 35 percent of total votes cast at the election.

(p) Convention proposals are submitted to the electorate at a special election in a manner to be determined by the convention. Ratification by a majority of votes cast.

(q) Conventions may not be held more often than once in six years.

(r) Five years after effective date of constitutions, governor shall call a constitutional convention to consider changes proposed by a constitutional committee appointed by the governor. Delegates to the convention are to be elected by their county councils. A convention was held in 1972.

(s) If proposed amendments are approved by the voters, they must be submitted to the U.S. Secretary of the Interior for approval.

(t) The initiative may also be used to place a referendum convention call on the ballot. The petition must be signed by 25 percent of the qualified voters or at least 75 percent in a senatorial district.

(u) The legislature was required to submit the referendum no later than seven years after the effective date of the constitution. The convention was held in 1985; 45 amendments were submitted to the voters.

CHAPTER TWO

STATE EXECUTIVE BRANCH

THE GOVERNORS, 1990-91

By Thad L. Beyle

The past two years have been tumultuous for the governors of the 50 states. There were elections in 39 of the states, and most jurisdictions were suffering through some of the worst budgetary problems in modern memory. The budget decisions they faced included both raising taxes and cutting services because of the recession's impact on state revenues. As a result, governors who won at the polls in November typically found themselves losing in the public opinion polls by the end of their first year in office. Some governors, whose popularity ratings were low, took themselves out of politics by deciding not to seek re-election. Several others were beaten in their attempts to seek another term.

Gubernatorial Elections

Thirty-nine governorships were contested and decided by the elections of 1990 and 1991. In 35 states, incumbents were eligible to seek re-election, and of those 25 incumbents or 71 percent did run. Seventeen were successful (68 percent). The winning incumbents, all in 1990, were Guy Hunt (R-Alabama), Bill Clinton (D-Arkansas), Roy Romer (D-Colorado), John Waihee (D-Hawaii), Cecil Andrus (D-Idaho), Terry Branstad (R-Iowa), John McKernan, Jr. (R-Maine), William Donald Schaefer (D-Maryland), Bob Miller (D-Nevada), Judd Gregg (R-New Hampshire), Mario Cuomo (D-New York), Robert Casey (D-Pennsylvania), Carroll Campbell (R-South Carolina), George Mickelson (R-South Dakota), Ned McWherter (D-Tennessee), Tommy Thompson (R-Wisconsin), and Mike Sullivan (D-Wyoming).

Of the eight unsuccessful incumbents seeking re-election, all but one lost their bid in the general election. The one incumbent losing in a primary was Buddy Roemer, Democrat turned Republican of Louisiana. In one of the most volatile contests of the period, Roemer fell behind former Democratic Gov. Edwin Edwards and Republican state Sen. David Duke in Louisiana's unique open primary. Incumbents who lost in the general elections were first-term Govs. Bob Martinez (R-Florida), Mike Hayden (D-Kansas), Ray Mabus (D-Mississippi), and Kay Orr (R-Nebraska); two-term Gov. James Blanchard (D-Michigan); and multi-term Govs. Rudy Perpich (DFL-Minnesota) and Edward DiPrete (R-Rhode Island).

In the 312 gubernatorial elections held between 1970 and 1991, incumbents were eligible to seek another term in 243 (or 78 percent) of the contests; 180 eligible incumbents sought re-election (74 percent) and 131 of them succeeded (73 percent). But there was still considerable turnover in the governorships over the period as 181 of the 312 incumbents (58 percent) did not receive another term: 69 were constitutionally ineligible for re-election (38 percent), 63 decided not to seek another term (35 percent), and 49 were defeated in their bids for another term (27 percent).[1]

Breaking these elections into blocks of four beginning with the 1972 elections, we find only slight variations in these figures and percentages, largely because several states have their gubernatorial term limits expire in the same election year. Comparing the 1990-1991 elections with those conducted between 1970 and 1989, we find that more incumbents than ever were eligible for re-election (90 percent vs. 76 percent); however, incumbents seeking another term were slightly less successful (68 percent vs. 74 percent).[2]

But there is another measure of determining just how many governors have served in

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the states. By looking at the number of new governors taking office over a decade, we find there has been a gradual decline. In the 1800-1809 decade, there was an average of 3.3 new governors in the then-17 states; by the 1870s, the average had reached 4.2 new governors for the 37 states. By the 1950s, this average had dropped to 2.3 new governors in the 48 states; by the decade of the 1970s, it was 1.9; and in the 1980s, it had dropped to a low of 1.1 new governors per state over the decade.[3]

The impact of changing term limit restrictions is clear. While adopted to allow more stability and continuity in the governor's office, the changes have actually reduced the number of people who become governor. Since the 1950s, the number of states allowing unlimited terms has dropped from 29 to 21; however, the number of states providing their governors with four-year terms has risen from 27 to 47. Clearly, longer terms for governors is having an effect on the number of individuals who can serve as governors.[4]

In 1990-1991, 21 incumbent governors left office with a combined total of 136 years of service to the states. Among them were James Thompson (R-Illinois, 1977-1991) who, with 14 years of service, was the dean of the incumbent governors; Michael Dukakis (D-Massachusetts, 1975-1979, 1983-1991), with 12 years; and William O'Neill (D-Connecticut, 1980-1991) with 11. Six other governors had served for eight years, two had served for six, and nine had served only a single four-year term. Rose Mofford (D-Arizona, 1988-1991) served out the remaining portion of impeached Gov. Evan Mecham's term, and then some, as the state needed a February 1991 runoff general election to select her successor — no candidate had received over 50 percent of the vote in the November 1990 election.

The New Governors

The partisan division among the 22 newly-elected governors was close, with 11 Democrats and nine Republicans among them. Two Independent party candidates were elected: Walter Hickel in Alaska and Lowell Weicker in Connecticut, the first elected to the office since James Longley (I-Maine, 1975-1979) was elected as an Independent in 1974. Both previously had run statewide and had served in office, Hickel as governor (1966-1969) and Weicker as U.S. Senator (1971-1989), and both were former Republicans turned Independent to win the governorship. While Hickel essentially retained his Republican ties in staffing his administration, Weicker took a bipartisan approach to his.[5]

Several trends are apparent in the route these new governors took to the office. The most consistent pattern is that of individuals who had previously run statewide and held office. Among the 15 who had such political experience (68 percent) were four former governors, including Hickel, Edwin Edwards (D) of Louisiana, Bruce King (D) of New Mexico, and Richard Snelling (R) of Vermont; and three former or current U.S. senators, Weicker, Pete Wilson (R) in California, and Lawton Chiles (D) in Florida.

Others who had statewide electoral experience included two lieutenant governors — Brereton Jones (D) of Kentucky and Zell Miller (D) of Georgia; two secretaries of state — James Edgar (R) of Illinois and Barbara Roberts (D) of Oregon; two state treasurers — Joan Finney (D) of Kansas and Ann Richards (D) of Texas; one state auditor — Arne Carlson (R) of Minnesota; and one former state insurance commissioner — Ben Nelson (D) of Nebraska. Another new governor, Bruce Sundlun (D) of Rhode Island, after twice trying to win the governorship, finally unseated the incumbent in the 1990 election.

Another pattern is that of the outsider candidate who starts at the top of the ticket and wins. Included in this category are Sundlun, Fife Symington (R) of Arizona, David Walters (D) of Oklahoma, and Kirk Fordice (R) of Mississippi. The three remaining "last step" positions varied considerably from former U.S. Attorney William Weld (R) of Massachusetts, to state Sen. John Engler (R) of Michigan, to Cleveland Mayor George Voinovich (R) of Ohio.

Looking at the most recent four-year cycle of gubernatorial elections (1988-1991) and where the new governors came from reveals a much more constricted path to the office than was true in the past. Of the 28 new governors elected over the four-year period, 13 came from statewide elective positions (46 percent) or federal elective positions (18 percent) or had no prior public office experience and were outsiders seeking to start at the top (21 percent). Only two came out of the state legislature (7 percent) and one from a local elective position (4 percent). In this day of media politics, old state career ladder patterns are shifting toward those who have already commanded media attention or toward those who can pay to gain media attention.[6]

One incumbent governor, Richard Snelling of Vermont, died in office in 1991. Snelling, who had been re-elected to his fifth two-year term in 1990, had served as Vermont's governor between 1977 and 1985 and had served as the 1981-1982 chairman of the National Governors' Association (NGA), where his focus was on "improving the federal system."[7] He was the first governor to die in office since Hugh Gallen (D-New Hampshire, 1979-1982).[8] Gallen's death occurred in the midst of a gubernatorial transition period, leading to a series of acting governors and some rather bizarre politics.[9]

Among those who were unsuccessful in their bid for the governorship were six former governors, making the success ratio for former governors 40 percent (four of 10 seeking the office). Four lieutenant governors were unsuccessful in their races, making the success ratio for that office 33 percent (two of six), while all seven attorneys general lost their bids. State legislators were notably unsuccessful, as only one of the 32 seeking the office won. Even two strong speakers of their state houses, Don Avenson (D) in Iowa and Tom Loftus (D) in Wisconsin, lost.

In similar fashion, none of the five incumbent congressmen or the three former congressmen won; but, as has already been noted, three of the new governors had U.S. senatorial experience. This decline in congressional wins contrasts with the last few election periods when the office was a stepping stone to the governorship. In 1986-1987, three new governors were congressmen, and in 1988-1989, two moved over from the Congress.

The overall partisan affiliation of the 1990-1991 gubernatorial election winners was 21 Democrats, 16 Republicans, and two Independents. This changed the partisan alignment in governors' chairs to 26 Democrats, 22 Republicans and two Independents, thus continuing the trend of slightly rising Republican strength and slightly declining Democratic strength among the governors. However, governors of 30 of these states face legislatures with one or both houses controlled by the opposite party. Split ticket voting continues to be alive and well in the states.

There are now 47 males and three females in the 50 state gubernatorial chairs. Their self-designated professions include 28 lawyers; eight from business; four "public officials"; three educators; three farmer-ranchers; one journalist/broadcaster; one physician; one engineer; and an economist.[10]

Paths to the Governorship[11]

As already noted, changes continue in the political career patterns of those who become governor. In this section, we will look at all governors serving during a certain period, not just the newly-elected ones. Looking only at the last office held by an individual before first being elected governor, we can see the increasing importance of holding statewide, state-level offices. Between 1900 and 1949, nearly one in five used these offices as their last step to becoming governor; for those governors serving in 1992, it is two in five. The ratio of those who have moved from a legislative position has remained relatively stable slightly less than one in five in both time periods.

The importance of holding federal elective office also has increased, from around one in 10 in the first half of this century to nearly one in five among current governors. Locally elected officials still find it difficult to move on to the governorship, as they have averaged around one in 15 in both periods. Finally, those who had held no previous elective position also increased from about one in 12 during the 1900-1949 period to one in seven among current governors.

The message from all of this is that the paths to the governorship are becoming more restrictive than in the past, some long-time paths are declining in use or fruitfulness, and those who can afford to start at the top are becoming more of a factor.

Cost of Gubernatorial Elections

Tables A and B present data on the costs of the most recent gubernatorial elections across the 50 states. Table A shows the cost of the most recent gubernatorial campaigns for each of the states in the actual dollars for the year involved. Table B presents the total cost of gubernatorial elections by year between 1977 and 1991, normalized to 1991 dollars. Since 1981, we have been able to compare the costs of each year's elections with those four years earlier in the same states. In six of these comparisons, the elections have cost more, ranging from an increase of 129 percent between the 1985 and 1989 elections to only 4 percent between the 1980 and 1984 elections. In five of these comparisons, the elections have cost less, with three of these in the last five gubernatorial election years.

However, the overall costs of gubernatorial campaigns continue to rise, although these figures are skewed upward because of several expensive gubernatorial races in the past few years. Candidate expenditures in only four states (in 1991 dollars) — New Jersey ($28.5 million) and Virginia ($23.7 million) in 1989; and California ($55 million) and Texas ($52.3 million) in 1990 — had much to do with these sharp rises. An open seat was involved in each instance, and the costs had escalated greatly over the last election in each state: New Jersey by 260 percent; Virginia by 212 percent; California by 96 percent; and Texas by 24 percent.

In fact, if we delete from their respective totals the 1990 California and Texas races and the two most expensive 1986 races (Texas at $41.3 million and Florida at $39 million in 1991 dollars), the overall spending in 1990 is reduced by nearly $104 million to $241.8 million (for an average cost of $7.1 million for the other 34 states), and the overall spending in 1986 is reduced by nearly $79 million to nearly $231 million (for an average of $6.8 million for the other 34 races). The increase of slightly under $11 million (4.7 percent), over the four-year period, or an average $.3 million per election, is not a great escalation in cost. Actually, since inflation increased by 19 percent over the four-year period, it represents a decrease in costs.[12]

But there are still some expensive races in the states, especially with highly contested primaries in which several strong candidates are vying for an open seat; or with efforts to unseat an incumbent; or when someone with considerable money seeks the governorship. The big money story in this two-year period can be found in the five 1990 races in which 12 candidates spent more than $7 million each in actual dollars. Six of them won, and six lost — two in their party's primary — so it is clear that money cannot buy every election. One other candidate, incumbent Gov. Robert Casey (D-Pennsylvania), spent over $7 million in 1990 — 82 percent of all campaign monies spent in the race — and he won with 68 percent of the vote.

In California, winner Pete Wilson (R) spent $25.2 million in actual dollars compared to the $20 million spent by losing candidate Diane Feinstein (D); John Van de Kamp (D) spent $7 million in his unsuccessful bid for the party nomination. In Texas, winner Ann Richards (D) spent $11.5 million compared to the $19.4 million spent by losing candidate Clayton Williams (R); Jim Mattox (D) spent $9.6 million in his unsuccessful bid for the party nomination. In total, these were the two most expensive gubernatorial races recorded to date, both races were for open seats, and both races were decided by narrow margins — California by three points, Texas by two.

The Illinois, Florida and Ohio races also were notable for having the two major party candidates spend considerable sums. In Illinois, winner Jim Edgar (R) and loser Neil Hartigan (D) each spent more than $11 million in actual dollars on their races. In Ohio, winner George Voinovich (R) and loser Anthony Celebrezze (D) each spent around $8 million. In both states, the contest was for an open

Table A
Costs of Gubernatorial Campaigns, Most Recent Elections

			Total campaign expenditures (a)				
					Winner		
State	Year	W	All candidates	Cost per vote (b)	*Spent*	*Percent of all expenditures*	*Vote percentage*
Alabama	1990	R★	$14,848,688	$11.92	$ 4,144,640	28	53
Alaska	1990	I#	6,200,682	35.32	1,181,565	19	39
Arizona	1990	R#	6,416,195	6.82	3,539,641	55	52
Arkansas	1990	D★	6,020,788	8.65	2,556,344	42	57
California	1990	R#	53,165,881	6.90	25,192,202	47	49
Colorado	1990	D★	1,248,652	1.27	1,028,787	82	64
Connecticut	1990	I#	7,581,885	6.64	2,734,127	36	41
Delaware	1988	R★	885,731	3.69	838,523	95	71
Florida	1990	D★★★	25,086,370	7.14	7,755,190	31	57
Georgia	1990	D#	17,269,807	11.91	6,212,659	36	53
Hawaii	1990	D★	3,730,712	10.97	3,046,044	82	60
Idaho	1990	D★	1,351,152	4.23	1,062,792	79	68
Illinois	1990	R#	23,914,628	7.34	11,700,314	49	51
Indiana	1988	D#	8,239,770	3.85	3,820,016	46	53
Iowa	1990	R★	6,400,755	6.59	3,842,199	60	61
Kansas	1990	D★★★	5,386,320	6.88	715,762	13	49
Kentucky	1991	D#	19,595,885	23.50	7,334,670	37	65
Louisiana	1991	D★★	9,778,386	5.66	4,709,339	48	61
Maine	1990	R★	3,062,678	5.87	1,557,766	51	47
Maryland	1990	D★	2,679,446	2.41	2,516,072	94	60
Massachusetts	1990	R#	14,778,198	6.31	3,453,281	23	50
Michigan	1990	R★★★	6,939,601	2.71	3,368,504	49	50
Minnesota	1990	R★★★	8,209,957	4.62	1,557,368	19	51
Mississippi	1991	R★★★	5,234,205	7.45	901,823	17	51
Missouri	1988	R★	4,292,387	2.08	3,510,484	82	64
Montana	1988	R#	3,225,864	8.96	1,128,901	35	53
Nebraska	1990	D★★★	5,364,814	9.15	1,706,515	32	50
Nevada	1990	D★	1,994,430	6.38	1,322,478	66	66
New Hampshire	1990	R★	1,146,625	3.90	647,041	56	60
New Jersey	1989	D#	26,172,262	11.62	7,736,580	30	61
New Mexico	1990	D#	4,116,227	10.03	1,414,723	34	55
New York	1990	D#	6,936,791	1.69	5,419,031	78	54
North Carolina	1988	R★	11,275,235	5.17	6,338,185	56	56
North Dakota	1988	D★	673,000	2.25	435,000	65	60
Ohio	1990	R#	16,016,528	4.61	8,175,556	51	56
Oklahoma	1990	D#	9,225,182	10.21	2,651,478	29	57
Oregon	1990	D#	5,546,051	4.99	1,763,140	32	43
Pennsylvania	1990	D★	8,770,476	2.87	7,205,746	82	68
Rhode Island	1990	D★★★	8,747,055	24.53	4,256,049	49	74
South Carolina	1990	R★	2,218,997	2.92	1,868,131	84	69
South Dakota	1990	R★	1,271,841	4.95	925,451	73	59
Tennessee	1990	D★	1,788,592	2.26	1,587,804	89	61
Texas	1990	D	50,537,239	13.56	11,479,136	23	51
Utah	1988	R★	3,513,295	5.43 (c)	1,321,432	38	40
Vermont	1990	R#	737,051	3.61	447,478	61	52
Virginia	1989	D#	21,730,000	12.16 (c)	6,860,000	32	50
Washington	1988	D★	2,586,735	1.38	1,581,194	61	62
West Virginia	1988	D★★★	8,533,441	13.14	4,589,009	54	59
Wisconsin	1990	R★	5,769,541	4.28	4,577,650	79	58
Wyoming	1990	D★	1,026,567	6.41	310,031	30	65
Election totals, 53 state gubernatorial elections:							
1988 election totals 5D/7R					50,929,199	54	
1989 election totals 2D/0R					47,902,262	30	
1990 election totals 19D/15R/2I					345,506,402	51	
1991 election totals 2D/1R					34,612,476	31	
Total (53 states) 28D/23R/2I						51	

Source: State campaign filing offices and others within the states.

Key:

D — Democrat
R — Republican
I — Independent
★ — Incumbent ran and won
★★ - Incumbent ran and lost in party primary
★★★ - Incumbent ran and lost in general election
# — Open seat

(a) Includes primaries and general elections; all figures are actual dollars for the year involved.

(b) Determined by dividing total campaign expenditures by total general election votes for the office.

(c) This figure differs from that which appeared in the 1990-91 edition of *The Book of the States* due to a typographical error.

Table B

Total Cost of Gubernatorial Elections: 1977-1991
(in thousands of dollars)

Year	*Number of races*	*Total campaign costs*		*Average cost per state 1991 $**	*Percentage change in similar elections* (a)
		Actual $	*1991 $**		
1977	2	$ 9,118	$ 20,353	$10,176	. . .
1978	36	99,733 (b)	206,915	5,748	. . .
1979	3	32,744	60,976	20,325	. . .
1980	13	35,551	58,376	4,490	. . .
1981	2	19,996	29,756	14,878	+ 46%
1982	36	181,743	254,542	7,071	+ 23%
1983	3	39,966	54,228	18,076	− 11%
1984	13	46,830	60,977	4,691	+ 4%
1985	2	18,142	22,791	11,396	− 23%
1986	36	270,383 (c)	333,395	9,261	+ 31%
1987	3	40,212	47,871	15,957	− 12%
1988	12 (d)	50,929 (c)	58,205	4,850	− 5%
1989	2	47,902	52,238	26,119	+ 129%
1990	36	345,506	357,297	9,925	+ 7%
1991	3	34,612	34,612	11,537	− 28%
Totals	202	1,258,898	1,652,532	8,181	

*From annual average column, "Historical Consumer Price Index for All Urban Consumers, (CPI-U): U.S. city average, all items; Bureau of Labor Statistics, U.S. Department of Labor, *CPI Detailed Report*, October 1991, 7.

(a) This represents the percent increase or decrease over the last bank of similar elections, i.e., 1977 vs. 1981, 1978 vs. 1982, 1979 vs. 1983, etc.

(b) These figures represent the expenditures of the two major party candidates only as reported in Rhodes Cook and Stacy West, "1978 Gubernatorial Contests: Incumbents, Winners Hold Money Advantage," *CQ Weekly Report* 37 (1979): 1757-1758.

(c) This figure is greater than reported earlier due to receipt of later and more complete reports from several states when collecting the 1990 data.

(d) As of the 1986 election, Arkansas switched to a four-year term for the governor, hence the drop from 13 to 12 races for this off year.

seat. In Florida, challenger and winner Lawton Chiles (D) spent a little under $8 million in unseating incumbent Gov. Bob Martinez (R), who spent $11.6 million. Only the Illinois race was close (three points); Voinovich won by 12 points in Ohio and Chiles by 14 in Florida.

Over the 1977-1991 period, during which campaign data are available in all states, the 10 most expensive seats (averages, in 1991 dollars) have been: Texas ($37 million), California ($36 million), Louisiana ($22 million), Florida ($21 million), Kentucky ($20 million), New York ($20 million), New Jersey ($16 million), Illinois ($14 million), Virginia ($12.6 million), and North Carolina ($12 million). All are either among the 10 largest states in population or are southern states, and all but North Carolina hold their gubernatorial elections in non-presidential years, when these contests can garner more attention and funds. The Illinois total would undoubtedly be higher, except for the fact that one person, Jim Thompson, held the governorship throughout most of that period and had the benefits of incumbency in his campaigns.

Three less populous states still have gubernatorial elections averaging under $1 million in total expenditures over the period: Vermont ($.949 million), Delaware ($.896 million), and North Dakota ($.730 million).

In the 39 gubernatorial races in 1990-91, there were at least 305 separate candidacies, as measured by those who filed campaign reports or received more than a trace of support at the ballot box. As noted earlier, many of these candidates spent little or no money campaigning, and some spent little or no time campaigning. California, with 19 candidates, and Texas, with 15, topped the states with crowded fields of candidates. In both states, competitive primaries for the open seat, especially among the Democrats, increased the number of participants. The most interesting candidates of this period were in Nevada, where one Rhinestone Cowboy spent nearly $1,200 in his bid for the Democratic nomination, and None of the Above garnered measurable votes in both the primary and general elections.

Gubernatorial Powers

Some interesting and significant activities have occurred in the states regarding gubernatorial powers. They include term limits, the governor's veto, and budgetary and appointment powers.

Term limits

One of the major movements now afoot is over the question of whether to adopt state constitutional amendments limiting the terms of elected officials. This movement was born partly of the frustration of challengers unable to beat incumbents in primary and general elections for most offices because of the name recognition and money-raising advantages that incumbency provides. Some reformers, mainly conservative Republicans, have decided to beat the incumbents in the state constitutions by reducing the number of terms or years any specific individual can serve in office.[13] As the anti-government, anti-politician feeling grows, some voters are increasingly receptive to the concept of term limitations. While we noted earlier the increasing tenure of governors over this century, little of the rhetoric and heat of these term-limitation campaigns appears aimed at the governors; rather it is those serving in the legislative branches who appear to be the main targets.

In 1990, on their general election ballots, three states proposed constitutional amendments that would limit the terms of their elected officials, and all three passed. In September 1990, more than two-thirds of those voting approved an amendment to the Oklahoma Constitution limiting the tenure of their statewide elected officials and state legislators. The campaign themes centered on a desire to get rid of career politicians seeking "to perpetuate themselves in office by borrowing on the public's trust . . . the importance of government by "citizen" legislators, those who serve for a time and then return to private life(and the belief) that fresh ideas would flow from the more rapid turnover . . . "[14]

However, even without a term limitation amendment, there already had been great turnover in the Oklahoma Legislature, an average of 30 percent in each of the previous four election cycles.[15] Only two of Oklahoma's 22 governors had served more than four years in office: George Nigh (D, 1979-1987) and Henry Bellmon (R, 1963-1967, 1987-1991). Two others had been impeached after a short tenure, and another went to jail shortly after leaving office.[16]

In November 1990, California voters, by a narrow margin (52 percent), adopted an amendment limiting statewide elective offices to two terms in any one office, and legislators to 12 years. However, in an oversight, the statewide elected office of insurance commissioner was not included in the language of the amendment, so the 1990 winner of that race, John Garamendi, can serve as long as he and the voters agree he can.[17] The California Supreme Court rejected (6-1) a bipartisan appeal of these limits by state legislators. The Court indicated these limits were a lifetime ban and their impact on the balance of powers in the state government was "unfathomable."[18]

The only governor in California's history to serve more than eight years was Earl Warren (R, 1943-53), who resigned to accept appointment as Chief Justice of the U.S. Supreme Court under President Dwight Eisenhower (R, 1953-1961). Politics and the political ambitions of those who have served in the governor's chair have limited their terms.

Colorado also adopted term limits in 1990, with 71 percent of the voters approving an amendment limiting officials, including their congressional delegation, to eight consecutive years in office. Only two of Colorado's governors have served a longer term than allowed under the new term limits amendment: John Love (R, 1963-1973) and Richard Lamm (D, 1975-1987).[19]

In 1991, two states reversed the trend in adopting term limits for their elected officials. Washington state voters confounded many observers and pollsters when they rejected by 54 percent a term limit initiative. Key to the turnaround was the heavy lobbying effort against the amendment by members of the state's congressional delegation, including U.S. House Speaker Thomas Foley. They were able to rechannel voter anger and frustration "away from politicians and toward the impact of term limits . . . that other states would control the lives of the people in Washington."[20] Two of the 16 Washington governors have served longer terms than would have been allowed had the initiative been approved:

Arthur Langlie (R, 1941-1945, 1949-1957) and Daniel Evans (R, 1965-1977). Finally, in December 1991, the Arizona Legislature let a term limitation proposal die when it adjourned.[21]

Nevertheless, many states are still considering the adoption of term limits, and there will be initiatives on state ballots for the voters to decide in the next few years. The fight has been joined, however, so when the question arises there is now a plot line and argument to be used to combat the concept.

Gubernatorial Veto

In several states, conflicts have arisen between governors and legislatures over the governor's veto. While most of these conflicts appear technical in nature, they are political in reality.

A federal appeals court found Wisconsin's gubernatorial partial veto to be "quirky," but not unconstitutional, in affirming the dismissal of a suit by a lower court.[22] Two legislators sued the governor over his use of the partial veto to veto "whole sections of spending plans as well as individual sentences, words, parts of words, single letters, digits, spaces and even the drafting symbols that appear in enrolled bills."[23] The court argued that the veto did not make the governor a "hereditary prince" or a "dictator," nor was the government becoming "monarchical" or "aristocratic." They suggested the legislature address this "modest shift of power" by giving voters the opportunity to ratify an amendment adjusting the situation.[24] The Wisconsin Supreme Court previously had upheld the partial veto.[25]

Other conflicts were over process. In Minnesota, the legislature won a suit with the governor and voided 14 of Gov. Arne Carlson's vetoes because he had exceeded the three-day limit for returning vetoed bills to the legislature. Carlson (R, 1991-) argued the problem was the Democratic legislature's as they "wouldn't leave their offices open beyond normal working hours."[26]

Oklahoma legislators won their suit with their governor, David Walter (D, 1991-) over violations of the constitutional "one-subject rule" restriction in his vetoes of substantive language in two appropriations bills.[27] The Oklahoma Supreme Court ruled that the governor must veto bills violating the one-subject rule, thus upholding his vetoes of the subject matter. But the court argued that the appropriation provisions did become law. This decision overruled one from 1978, but the court indicated its decision had prospective application only.[28] Veto problems in Alabama and Colorado concerned how they were filed. In Alabama, the state's Supreme Court decided that signed bills not filed with the secretary of state within the required time period were, in effect, pocket vetoed. Realizing that this ruling could cause "massive disruption of state government if applied to every law not filed on time," the court granted a rehearing and then modified the decision to make it prospective from October 1982, when its last pocket veto decision was made.[29]

In Colorado, five of Governor Romer's vetoes did not "stick" as he had neglected to send cover letters concerning the vetoes to the secretary of state's office, even though they were sent to the press and widely publicized. The governor asked the state's Supreme Court to rule on the situation as the legislature, deciding the vetoes were invalid, had asked that these laws be included in the session laws, with notations.[30]

In Maryland, the governor is now protected from civil suits in exercising veto power as this is part of his or her "legislative function." This decision by the state's Court of Appeals indicated the governor was immune from civil liability, agreeing with the argument of former Gov. Marvin Mandel in the suit.[31]

Finally, Gov. Weicker of Connecticut showed how the veto power could be used to obtain what heretofore had been an impossible policy goal — instituting a personal income tax to balance that state's tax system and provide the necessary funds for state government programs. During the summer of 1991, the governor and the legislature battled over the following year's budget. Three times, the legislature proposed a budget without a personal income tax, and each time, the governor vetoed it even though parts of state government would have to shut down. The legislature was unable to override these vetoes as there was considerable support for the tax. Finally, the anti-tax coalition in the Senate lost three members, and the tax passed narrowly in both houses, needing the tie-breaking vote of the lieutenant governor presiding over the Senate. While there is more to the story of the tax fight than the governor's veto power, it proved to be a formidable weapon.[32]

Legislative Veto

Since the late 1970s, the courts — both federal and state — have been rather harsh on legislative attempts to gain more influence in the administrative process through the use of the legislative veto. The legislative veto procedure allows the legislature to review proposed executive branch regulations or actions through a pre-implementation review of them, in which the legislature can block or modify them. This procedure clearly raises questions over constitutional separation of powers provisions, which the courts interpreted in favor of the executive branches.[33]

Recently, the Idaho Supreme Court narrowly affirmed that state legislature's veto of executive branch regulations indicating that "it is valid for the legislature to reject an administrative rule that does not reflect the legislative intent contained in the enabling statute." However, the decision was specifically limited to affirming a legislative rejection of a regulation, not to amending or modifying a rule.[34]

Similarly, the Wisconsin Supreme Court upheld a statute authorizing a legislative joint committee "to temporarily suspend administrative rules, pending bicameral review by the legislature and presentment to (the) governor for veto or other action." Again the dispute revolved on the separation of powers doctrine, which the Court argued was only implicitly created in the state's constitution in the provisions setting out the powers of the three separate branches. Thus, the constitution allowed for a sharing of powers as long as the action was not in "the constitutionally guaranteed exclusive zone of another" branch.[35]

Gubernatorial Budgetary Power

As the Connecticut example illustrates, the past two years have tested the budgetary power of governors — not only in developing balanced budget proposals, but in keeping a budget in balance in the face of falling state revenues and increased demands for services. Budget management strategies and revenue enhancements (i.e., more taxes) have been at the top of their agendas. The numbers have been staggering in state government terms: for California, it was a $14 billion shortfall;[36] for other states, the size of the shortfall was less dramatic, but often just as great a percentage of the state's overall budget.

The most common theme in these budgetary problems was the struggle between the governor and the legislature over who had the responsibility to cut back state government expenditures. Recent information suggests that the governors in 24 states have virtually unlimited authority to reduce the budget to avoid a deficit; others have a variety of restrictions on their use of this power, including the need for legislative approval.[37] For many reasons legislative approval for gubernatorial cost cutting proposals is not automatic. Governors found this out during this past year, with notable disputes in Massachusetts (fee setting authority, institution closings and a pay reduction plan), Michigan (pay-reduction plan and reductions in social welfare programs), and Pennsylvania (institution closings).[38]

In fiscal 1991, governors proposed a range of cost-cutting measures to balance their budgets. While 26 states called for tax increases, amounting to at least $10.3 billion, 29 states had to cut more than $8 billion out of their budgets. There were two approaches for these budget cuts: spending reductions affecting many agencies, including across-the-board reductions (16 states), targeted reductions (24 states), spending delays other than pension funding (13 states), and pension funding delays (10 states); and measures dealing with state employees, including hiring freezes (22 states), layoffs (11 states), furloughs (7 states), and travel freezes (19 states).[39]

Some of the state budget power disputes were fought in the courts with mixed results. In Florida, the state Supreme Court ruled that a statute providing a seven-member administrative committee with budget cutting authority was unconstitutional. The committee consisted of the governor and the state cabinet, six other elected state officials, and the court ruled this delegation of legislative authority to the executive branch violated the separation of powers, as the power to appropriate funds is legislative in nature and not executive. The suit was triggered when the committee sliced into the Children's Guardian Ad Litem Program,[40] which provides legal aid for foster children appearing in court.

In Maryland, the state Supreme Court upheld the governor's executive order to increase the average work week of state employees without providing additional compensation. The average work week had been 35½ hours, and the governor's order increased that to 40 hours. In the suit, the employees claimed they had a vested right in the shorter work week and that right had been taken since no additional compensation was involved. They also argued that the decision was legislative, not executive in nature. The court disagreed with each argument, indicating that no right had been taken away and that there was no violation of the separation of powers concept as the governor had such authority.[41]

Connecticut state employees sparred with their governor over his proposal that layoffs would occur unless their labor union leaders made concessions on wages, pensions and other issues. All of this was tied to the need to cut state expenses and balance the budget; the governor already had indicated a 6.5 percent cut in the workforce was in process by November 1991, and another 22 percent cut would occur by selected closings of state offices for between five and 32 days over the rest of the fiscal year.[42]

Over the past 20 years, governors, through their budget agencies, have increased their budget preparation reach into state government agencies. Most governors provide policy guidance to state agencies both in writing (80 percent) and by other means (77 percent). And many now provide guidance for major programs in writing (30 percent) and by other means (71 percent). Figures for 1970 were considerably lower.[43]

Why is this important for governors? The budget is the governor's policy vehicle containing his or her policy goals. A study of 14 states and their governors' policy agendas over the 1970s and 1980s found that governors "have increasingly come to use the executive budget as the vehicle for advancing their initiatives . . . "[44] However, governors' priorities do change. For example, in reviewing governors' policy priorities between 1971 and 1990, Gosling found that primary and secondary education ranked either No. 1 or 2 throughout the period; corrections and criminal justice started as No. 2 in the early 1970s, only to fall to seventh place in 1990, while economic development moved up rapidly to rank as No. 1 since the mid 1980s. More than 20 policy priorities were put forward by these governors over the period.[45]

Governors are deeply involved in the budgetary processes in each state, and they can be deeply scarred by what happens in those processes. One argument suggests that because of their position and the potential that blame will be placed on them, fewer governors than in the past may be able to seek higher office. Gov. Mario Cuomo's vacillation over seeking the presidency in 1992 finally ended in his bowing out because of a need to be closely involved in the New York budgetary situation. Presidential politics aside, one analysis argues "New York's fiscal situation and traditions of gubernatorial leadership in the budget processes make the governor's presence more important than in most states."[46]

Gubernatorial Appointment Power

After a series of U.S. Supreme Court decisions regarding the ability of state and local elected executive branch officials to remove or fire employees,[47] the Court focused on the patronage process conducted in the office of Illinois Gov. James Thompson (R, 1977-1991). In the *Rutan et al v. Republican Party of Illinois* decision, the Court narrowly decided that a process using party affiliation or party activity as a basis on which to hire, promote or transfer employees violates their First Amendment rights.[48]

In February 1992, a federal District Court judge in Raleigh, N.C. dismissed a related suit brought by several Democrats against Republican Gov. Jim Martin (1985-) over being fired

Table 1.5
STATE CONSTITUTIONAL COMMISSIONS
(Operative during January 1, 1990 to January 1, 1993)

State	*Name of commission*	*Method and date of creation and period of operation*	*Membership: number and type*	*Funding*	*Purpose of commission*	*Proposals and action*
Utah	Utah Constitutional Revision Commission	Statutory; Ch. 89, *Laws of Utah*, 1969; amended by Ch. 107, *Laws* 1975, *Laws* 1977, which made the commission permanent as of July 1, 1977. (Codified at Ch. 54, Title 63, *Utah Code Annotated*, 1953.)	16: 1 ex officio, 9 appointed: by the Speaker of the House (3), president of Senate (3), and governor (3) — no more than 2 of each group to be from same party; and 6 additional members appointed by the 9 previously appointed members.	Appropriations through 1991 totaled $803,000 (1991 appropriation was $55,000, the same as for 1990).	Study constitution and recommend desirable changes, including proposed drafts.	**Mandated to report recommendations at least 60 days before legislature convenes. Voter action on commission's recommendations through 1991 include: approval of revised articles on legislature, elections and rights of suffrage, revenue and taxation, executive, judicial, and education. Major revision of labor article and lesser changes to legislative article submitted to 1990 session rejected; major revision of corporations article and changes in constitutional offices, boards and commissions submitted to 1991 Legislature not acted upon; six proposals resubmitted to 1992 Legislature — four article revisions (labor, corporations, legislative, executive) and two other amendments (legislative eligibility and separation of powers and income tax dedication).**
Oklahoma	Oklahoma Constitution Study Commission	Executive; appointment by invitation. October 17, 1988 - October 21, 1991.	35: governor and one U.S. Senator, honorary co-chairmen, attorney general, chairman; 32 other members: 3 legislators and other state and local officials; representatives of business, law agriculture, energy, education.	No appropriation; private funding from four foundations totaling $64,200. Oklahoma City University School of Law provided research assistance and meeting space; members not reimbursed for expenses.	Study entire constitution, draft and recommend specific revisions in the form of constitutional amendments.	**Eight study committees organized within commission; preliminary draft of revised constitution ready for public comment June 1989; commission approved three articles July 1989; constitutional initiative drive gathers signatures to certify propositions for ballot; Oklahoma's Supreme Court rejects two proposals (executive and corporations) for violation of single-subject rule; third article on ethics commission adopted by voters September 18, 1990; final commission report released last meeting of commission October 21, 1991; Commission approves unanimously proposed revised Oklahoma Constitution.**
Florida	Florida Taxation and Budget Reform Commission	Constitutional/statutory: Art. XI, sec. 6 of Florida Const.; *Laws* 1990, c.90-203 (West's F.S.A. sec. 286.036), 1990 - June 30, 1993.	29: 25 non-legislative voting members: — by governor (11), by speaker of House (7), by president of Senate (7); 4 nonvoting legislative members: — by speaker (1 majority and one minority representative) by president of Senate (1 majority and one minority senator). Voting members elect chairman.	$1.5 million for 1990-1992; administrative support from Florida State University.	Citizen evaluation, recommendations for tax and budget reforms. Commission may submit statutory recommendations to legislature and constitutional amendments directly to electorate.	**Numerous meetings and public hearings, two major reports; statutory recommendations to legislature in 1991 and 1992; budget reform bill adopted. April 1992 meetings to finalize proposed constitutional amendments for 1992 general election. May 7 deadline to submit to secretary of state. Commission approval of amendments requires: 2/3 of voting members and majority of each of three subgroups of voting members.**

(early in his administration) because of their political affiliation. The judge opened up the suit to a 450-person class action, making all 10 cabinet members liable for damages that could have reached $22 million. This decision forced the attorney general's office to seek outside legal help for each of the defendants.[49]

While governors and their staffs realized for some time that the use of patronage for personnel decisions was a significant problem, this decision highlights the basic tension between protecting state employees and hiring those who will help governors achieve the goals for which they were elected.

At the state level, the Arkansas Supreme Court rejected a separation of powers constitutional challenge to Gov. Clinton's appointment of three special commissioners to the state Public Service Commission. The suit challenged the legislature's authorizing the governor to make these appointments, even though the commission performs a legislative function.[50]

Two governors found themselves embroiled in controversies over appointments in higher education. Newly-elected Illinois Gov. Jim Edgar had to step into the fight over who would be the next chancellor of the University of Illinois at Chicago — a decision that had become political, rather than academic. His decision to attend the critical board meeting and support the regular selection process quieted the problem.[51]

Out-going Kentucky Gov. Wallace Wilkinson appointed himself to a six-year term on the University of Kentucky Board of Trustees in the last week of his tenure. Despite charges of "a flagrant abuse of power," the appointment stood the challenge in the state courts.[52] After attending his first meeting as a former governor, he called a press conference and created a furor over his views on what university faculty should do — more teaching and less research.[53] Former New Mexico Gov. Garry Carruthers backed the concept suggested by the Association of Governing Boards of Universities and Colleges for "governors to appoint governing-board members through a merit-selection process, rather than traditional patronage . . . "[54]

The National Governors' Association

The National Governors' Association (NGA), under the leadership of Govs. Terry Branstad of Iowa (chairman for 1989-1990), Booth Gardner of Washington (chairman for 1990-1991) and John Ashcroft of Missouri (chairman for 1991-1992), continued its focus on educational concerns during each chairman's term. Several projects and reports were issued about the status of American education and the states' roles in improving education.[55]

This continuing educational focus flows from the 1985-1986 NGA policy effort on education under the direction of then-Chairman Lamar Alexander of Tennessee (R, 1979-1987), which culminated in the report *Time for Results.*[56] NGA compiles and reports on the "state of the state" addresses of each of the governors, with special attention given to education.[57] During Gov. Ashcroft's term as chairman, NGA again will stress education in his initiative, "Redefining the Possible." He has established three action teams to focus on school readiness, the school years, and the after-school years.[58]

During Gov. Gardner's term as chairman, NGA focused on health issues and the national health care system. This year-long effort was kicked off by a September 1990 conference in Washington, "Innovative Partnerships for Affordable Health Care," and finished with a report, *A Healthy America: The Challenge for States*, issued at the 1991 Annual Meeting.[59]

In NGA's coverage of the 1991 gubernatorial state of the state addresses, four other themes were highlighted: transportation,[60] energy,[61] drug policy,[62] and the environment.[63] When asked to name their top accomplishments of 1990, the governors cited initiatives in health care, education, and economic growth and in management, and budget issues.[64] In 1991, as a sign of the times, governors said their top accomplishments were in budget issues and education.[65] But their priorities for 1992 would be education, health care, state management and economic development.[66]

A continuing NGA/National Association of State Budget Officers semi-annual report on the fiscal status of the states has documented the budgetary problems of the last two years.[67] The most recent report suggests that more hard times are in store for the states as they continue to face enormous fiscal stress with "soaring costs for Medicaid and corrections programs, and very low reserves. In the past two years, states have raised $25 billion in new revenues, and they cut more than $7.5 billion last year alone."[68] NGA continues its interest in gubernatorial transitions, both into and out of office. Following the 1990 elections, incumbent governors, their staffs, and NGA staff held the "New Governors' Seminar." NGA also has issued a series of *Management Notes* on gubernatorial transitions, the most recent of which covered both sides of the transition.[69]

Not all of the joint actions for governors occur through NGA. In 1990, some former governors created The National Institute of Former Governors to be housed in Washington; they hoped to "use the collective experiences of more than 240 former governors to analyze and offer non-partisan solutions to the country's current problems."[70]

Notes

[1] Thad L. Beyle, "Term Limits for Governors," in *Limiting Legislative Terms* eds. Gerald T. Benjamin and Michael J. Malbin (Washington, D.C.: CQ Press, 1992), forthcoming.

[2] Ibid.

[3] Joseph A. Schlesinger, "The Governor's Place in American Politics," *Public Administration Review* 30:1 (January/February 1970), 4; Larry Sabato, *Goodbye to Good-Time Charlie* (Washington, D.C.: CQ Press, 1983), 104; and Beyle, ibid.

[4] Beyle, ibid.

[5] Russell D. Murphy, "A Maverick in 'The Land of Steady Habits': Lowell P. Weicker, Jr. and his A Connecticut Party," *Governors and Hard Times* ed. Thad L. Beyle (Washington, D.C.: CQ Press, 1992), 71.

[6] Beyle, "Term Limits for Governors," ibid.

[7] "Governors Saddened by Death of Gov. Snelling," *Governors' Weekly Bulletin* 25:33 (August 16, 1991), 4.

[8] Bethany Kandel. "Vermont's 5-term governor dies," *USA TODAY* (August 15, 1991), 3A.

[9] Richard F. Winters, "The New Hampshire Gubernatorial Election and Transition," in Thad L. Beyle, ed. *Gubernatorial Transitions: The 1982 Election* (Durham, N.C.: Duke University Press, 1985), 302.

[10] Dag Ryen, "Who's running the statehouses," *State Government News* 35:2 (February 1992), 11-13.

[11] Larry Sabato, *Goodbye to Good-Time Charlie* (Washington, D.C.: CQ Press, 1983), 40 and National Governors' Association, *Directory of Governors of the American States, Commonwealths & Territories, 1991* (Washington, D.C.: NGA, 1981).

[12] This is based on the change in the annual average of the Consumer Price Index for All Urban Consumer (CPI-U) in the two years. With the CPI-U of 1982-84 = 100, the 1986 average was 109.6 and the 1990 average was 130.7 for an increase of 21.1 points or 19.25%. Bureau of Labor Statistics, U.S. Department of Labor, *CPI Detailed Report*, October 1991 (Washington, D.C.: US Government Printing Office, 1991), 67.

[13] For a full discussion of the question and politics of term limits in the states see Gerald Benjamin and Michael Malbin. See also Stuart Rothenberg, "How Term Limits Became a National Phenomenon," *State Legislatures* 18:1 (January 1992), 35-39.

[14] Ronald M. Peters, Jr., "Point of Order: Term Limits?," *Extensions* (Spring 1991), 2.

[15] Peters, 2.

[16] James C. Walton (D, 1923) and Henry S. Johnston (D, 1927-1929) were impeached and removed from office, while David Hall (D, 1971-1975) was convicted of bribery and extortion and served time in prison.

[17] Rob Gurwitt, "California's John Garamendi: Insurance Commissioner for Life?" *Governing* 4:4 (January 1991), 13.

[18] Daniel M. Weintraub, "Limits stand in California," *State Legislatures* 17:12 (December 1991), 12-13. See *Legislature of the State of California v. Eu*, Case No. S 019660, October 10, 1991, and *State Constitutional Law Bulletin* 5:2 (November 1991), 1-2.

[19] By varying counts, Colorado has had between 27 and 29 governors. The variance in the numbers of governors in Colorado is tied to the disputed 1905 election in which the General Assembly finally asked both candidates to withdraw or resign and then made the lieutenant governor the governor. Both candidates served for a very short time, 66 days and 1 day each, and the appointed governor served out the term. See Samuel R. Solomon, comp., *The Governors of the American States, Commonwealths, and Territories, 1900-1980* (Lexington, KY: The Council of State Governments, 1980), 8-9.

[20] Stuart Rothenberg, "Political Clout Key to Washington Vote," *State Legislatures* 18:1 (January 1992), 38.

[21] "Arizona legislature approves election reforms," *State Legislatures* 18:1 (January 1992), 9.

[22] "Wisconsin's funny veto provision is constitutional," *State Legislatures* 17:7 (July 1991), 16.

[23] Michael H. McCabe, "Wisconsin's 'quirky' veto power," *State Government News* 34:8 (August 1991), 11.

[24] *Risser and Travis v. Thompson*, No. 90-3119, 930 F 2nd. 549 (April 16, 1991). See *State Constitutional Law Bulletin* 4:9 (June 1991), 2.

[25] *State ex rel State Senate v. Thompson*, 144, Wis 2d 429, 424 NW2d 385, 386, n. 3 (1988).

[26] "Minnesota legislators win suit over vetoes," *State Legislatures* 17:9 (September 1991), 9.

[27] "Oklahoma Legislators sue too," *State Legislatures* 17:9 (September 1991), 9.

[28] *Johnson v. Walters*, 819 P. 2d. 694 (Okla. 1991). See *State Constitutional Law Bulletin* 5:4 (January 1992), 3-4.

[29] *Ex parte Coker*, No. 89-1034, December 7, 1990, modified on rehearing, January 11, 1991. See *State Constitutional Law Bulletin* 4:6 (March 1991), 2.

[30] "And in Colorado, vetoes don't stick," *State Legislatures* 17:9 (September 1991), 9.

[31] *Mandel v. O'Hara, et al*, No. 33, 576, A. 2d 766, July 27, 1990. See *State Constitutional Law Bulletin* 4:1 (October 1990), 2, and "Maryland governors are immune from civil liability," *State Legislatures* 17:2 (February 1991), 12.

[32] Murphy, 68-69.

[33] The U.S. Congress lost this power in *Immigration and Naturalization Service v. Jadish Rai Chanda* (1983).

[34] "Idaho court says legislature may veto administrative rules," *State Legislatures* 16:6 (July 1990), 14.

[35] *Martinez et al. v. Department of Industry, Labor and Human Relations* et al., 478 N.W. 2d 582 (Wis. 1992). See "Wisconsin Finds No Separation of Power Violation in Statute Authorizing Legislative Committee to Suspend Administrative Rule," *State Constitutional Law Bulletin* 5:6 (March 1992), 1-2.

[36] Richard W. Gable, "Pete Wilson: California's New Breed Republican," in Beyle, *Governors and Hard Times*, 43.

[37] National Association of State Budget Officers, *Budgetary Practices in the States, 1989* as presented in Table 6.3: "State Balanced Budgets: Constitutional and Statutory Provisions, Gubernatorial and Legislative Authority," *The Book of the States*, 1990-1991 (Lexington, KY: The Council of State Governments, 1990), 290-1.

[38] "Legislative-Executive Roles," *State Policy Reports* 9:6 (March 1991), 4; "Legislative-Executive Disagreements," *State Policy Reports* 9:10 (May 1991), 18, and "Legislative-Executive Disputes Over Cuts," *State Policy Reports* 9:11 (June 1991), 4.

[39] Marcia Howard, *Fiscal Survey of the States* (Washington, D.C.: National Governors' Association and the National Association of State Budget Officers, April 1991) as reported in "States in Worst Fiscal Shape of Decade," *Governors' Weekly Bulletin* 25:16 (April 19, 1991), 1-2.

[40] *Chiles v. Children A, B, C, D, E, and F*, No. 78,792, 16 FLW S708, October 29, 1991. See *State Constitutional Law Bulletin* 5:3 (December 1991), 2, and "Florida governor and cabinet can't cut budget," *State Legislatures* 18:1 (January 1992), 9.

[41] *Maryland Classified Employees v. Governor*, 599 A. 2d 91 (MD 1991). See *State Constitutional Law Bulletin* 5:5 (February 1992), 2.

[42] "Connecticut employees and governor at odds," *State Legislatures* 18:1 (January 1992), 8.

[43] Robert D. Lee, Jr., "Developments in State Budgeting: Trends of Two Decades," *Public Administration Review* 51:3 (May/June 1991), 254-262.

[44] James J. Gosling, "Patterns of Stability and Change in Gubernatorial Policy Agendas," *State and Local Government Review* 23:1 (Winter 1991), 11.

[45] Gosling, 7.

[46] "Why Governor Cuomo Didn't Run," *State Policy Reports* 10:5 (March 1992), 20.

[47] *Elrod v. Burns* (1976); *Branti v. Finkel* (1980); *Connick v. Myers* (1983).

[48] For more on this case see Jeffrey L. Katz, "The Slow Death of Political Patronage," *Governing* 4:7 (April 1991), 58-62 and Charles N. Wheeler, III, "Gov. James R. Thompson, 1977-1991: The Complete Campaigner, the Pragmatic Centrist," *Illinois Issues* 16:12 (December 1990), 12-16.

[49] AP, "Fired workers lawsuit against Martin ended," (Raleigh) *News and Observer* (February 13, 1992), and Jane Ruffin, "Legal bills hit millions," *News and Observer* (February 21, 1992).

[50] *Clinton v. Clinton*, 305 Ark. 585, June 3, 1991. See *State Constitutional Law Bulletin* 5:1 (October 1991), 1.

[51] Samuel Gove, "A Wolff at the Door of Illinois Higher Education: A Case Study of Politics & Education," *Comparative State Politics* 12:3 (June 1991), 1-15. See also Gove, "Same Party But a Different Governor," in Beyle, *Governors and Hard Times*, 122-123.

[52] "Ways & Means," *Chronicle of Higher Education* (December 18, 1991), A25.

[53] "Name Dropping," *Chronicle of Higher Education* 28:22 (February 5, 1992), A43.

[54] "Ways & Means," *Chronicle of Higher Education* (July 31, 1991), A14.

[55] See, for example, *Educating America: State Strategies for Achieving the National Education Goals* (Washington, D.C.: National Governors' Association, July 1990); *Results in Education*, 1990 (Washington, D.C.: NGA, 1991).

[56] *Time for Results: The Governors' 1991 Report on Education* (Washington, D.C.: National Governors' Association, 1986).

[57] Deborah Weil, "Statewide Plans Reflect NGA Objectives," *Governors' Weekly Bulletin* 24:7 (February 10, 1990), 1; Aimee Rogstad, "Unwavering Efforts to Improve Schools," *Governors' Weekly Bulletin* 25:9 (March 1, 1991), 1-4; and Rogstad, "Education Linked with Health Care, Job Creation," *Governors' Bulletin* 26:5 (March 2, 1992), 1.

[58] "Gov. Ashcroft Launches Education Goals Initiative," *Governors' Weekly Bulletin* 25:34 (August 30, 1991), 1, 3.

[59] NGA Task Force on Health Care, *A Healthy America: The Challenge for States* (Washington, D.C.: National Governors' Association, August 1991).

[60] "Governors Urge Transportation Projects," *Governors' Weekly Bulletin* 25:8 (February 22, 1991), 1.

[61] "State, National Energy Policies Proposed," *Governors' Weekly Bulletin* 25:10 (March 8, 1991),1.

[62] Mark Miller, "States Strengthening Anti-Drug Efforts," *Governors' Weekly Bulletin* 25:11 (March 15, 1991), 1.

[63] Barbara Wells, "Commitment to the Environment Renewed," *Governors' Weekly Bulletin* 25:12 (March 22, 1991), 1.

[64] "Governors Outline 1990's Top Initiatives," *Governors' Weekly Bulletin* 25:2 (January 11, 1991), 1.

[65] Matthew Davis, "Governors Outline 1991's Top Accomplishments," *Governors' Bulletin* 26:2 (January 20, 1992), 1.

[66] Matthew C. Davis, "Education, Health Care, Other Issues Named by Governors," *Governors' Bulletin* 26:4 (February 17, 1992), 1.

[67] NGA/NASBO, *Fiscal Survey of the States* (Washington, D. C.: NGA, April and October of each year).

[68] "Another Difficult Budget Year for States," *Governors Weekly Bulletin* 25:43 (November 1, 1991), 1.

[69] Thad L. Beyle, *The Governor's Final Year: Challenges and Strategies* (Washington, D.C.: Office of State Services, National Governors' Association, April 1990), and *Organizing the Transition Team* (Washington, D.C.: Office of State Services, National Governors' Association, November 1990).

[70] "Former Governors Tapped for Advice," *State Legislatures* 16:10 (November/December, 1990), 7.

Table 2.1
THE GOVERNORS
1992

State or other jurisdiction	*Name and Party*	*Length of regular term in years*	*Date of first service*	*Present term ends*	*Number of previous terms*	*Maximum consecutive terms allowed by constitution*	*Joint election of governor and lieutenant governor* (a)	*Official who succeeds governor*	*Birthdate*	*Birthplace*
Alabama	Harold Guy Hunt (R)	4	01/87	01/95	1	2	No	LG	06/17/33	Ala.
Alaska	Walter J. Hickel (I)	4	12/66	12/94	1 (b)	2	Yes	LG	08/18/19	Kan.
Arizona	Fife Symington (R)	4	03/91	01/95	. . .	. . .	(c)	SS	08/12/45	N.Y.
Arkansas	Bill Clinton (D)	4	01/79	01/95	4 (d)	. . .	No	LG	08/19/46	Ark.
California	Pete Wilson (R)	4	01/91	01/95	. . .	2	No	LG	08/23/33	Ill.
Colorado	Roy Romer (D)	4	01/87	01/95	1	2	Yes	LG	10/31/28	Colo.
Connecticut	Lowell P. Weicker, Jr. (I)	4	01/91	01/95	. . .	. . .	Yes	LG	05/16/31	France
Delaware	Michael N. Castle (R)	4	01/85	01/93	1	2 (e)	No	LG	07/02/39	Del.
Florida	Lawton Chiles (D)	4	01/91	01/95	. . .	2	Yes	LG	04/03/30	Fla.
Georgia	Zell Miller (D)	4	01/91	01/95	. . .	2	No	LG	02/24/32	Ga.
Hawaii	John D. Waihee III (D)	4	01/86	12/94	1	2	Yes	LG	05/19/46	Hawaii
Idaho	Cecil D. Andrus (D)	4	01/71	01/95	3 (f)	. . .	No	LG	08/25/31	Ore.
Illinois	Jim Edgar (R)	4	01/91	01/95	. . .	. . .	Yes	LG	07/22/46	Okla.
Indiana	Evan Bayh (D)	4	01/89	01/93	. . .	2	Yes	LG	12/26/55	Ind.
Iowa	Terry Branstad (R)	4	01/83	01/95	2	. . .	Yes	LG	11/17/46	Iowa
Kansas	Joan Finney (D)	4	01/91	01/95	. . .	2	Yes	LG	02/12/25	Kan.
Kentucky	Brereton C. Jones (D)	4	12/91	12/95	. . .	(g)	No	LG	06/27/39	Ohio
Louisiana	Edwin Edwards (D)	4	05/72	01/96	3 (h)	2	No	LG	08/07/27	La.
Maine	John R. McKernan, Jr. (R)	4	01/87	01/95	1	2	(c)	PS	05/20/48	Maine
Maryland	William Donald Schaefer (D)	4	01/87	01/95	1	2	Yes	LG	11/02/21	Md.
Massachusetts	William F. Weld (R)	4	01/91	01/95	. . .	. . .	Yes	LG	07/31/45	N.Y.
Michigan	John Engler (R)	4	01/91	01/95	. . .	. . .	Yes	LG	10/12/48	Mich.
Minnesota	Arne Carlson (R)	4	01/91	01/95	. . .	. . .	Yes	LG	09/24/34	N.Y.
Mississippi	Kirk Fordice (R)	4	01/92	01/96	. . .	(g)	No	LG	02/10/34	Tenn.
Missouri	John Ashcroft (R)	4	01/85	01/93	1	2 (e)	No	LG	05/09/42	Mo.
Montana	Stan Stephens (R)	4	01/89	01/93	. . .	. . .	Yes	LG	09/16/29	Canada
Nebraska	E. Benjamin Nelson (D)	4	01/91	01/95	. . .	2	Yes	LG	05/17/41	Neb.
Nevada	Bob Miller (D)	4	11/88	01/95	1 (i)	2	No	LG	03/30/45	Ill.
New Hampshire	Judd Gregg (R)	2	01/89	01/93	1	. . .	(c)	PS	02/14/47	N.H.
New Jersey	James S. Florio (D)	4	01/90	01/94	. . .	2	(c)	PS	08/29/37	N.Y.
New Mexico	Bruce King (D)	4	01/71	01/95	2 (j)	2 (k)	Yes	LG	04/06/24	N.M.
New York	Mario M. Cuomo (D)	4	01/83	01/95	2	. . .	Yes	LG	06/15/32	N.Y.
North Carolina	James G. Martin (R)	4	01/85	01/93	1	2 (e)	No	LG	12/11/36	Ga.
North Dakota	George A. Sinner (D)	4	01/85	12/92	1	. . .	Yes	LG	05/29/28	N.D.
Ohio	George Voinovich (R)	4	01/91	01/95	. . .	2	Yes	LG	07/15/36	Ohio
Oklahoma	David Walters (D)	4	01/91	01/95	. . .	2	No	LG	11/20/51	Okla.
Oregon	Barbara Roberts (D)	4	01/91	01/95	. . .	2 (l)	(c)	SS	12/21/36	Ore.
Pennsylvania	Robert P. Casey (D)	4	01/87	01/95	1	2	Yes	LG	01/09/32	N.Y.
Rhode Island	Bruce Sundlun (D)	2	01/91	01/93	. . .	. . .	No	LG	01/19/20	R.I.
South Carolina	Carroll A. Campbell, Jr. (R)	4	01/87	01/95	1	2	No	LG	07/24/40	S.C.
South Dakota	George S. Mickelson (R)	4	01/87	01/95	1	2	Yes	LG	01/31/41	S.D.
Tennessee	Ned Ray McWherter (D)	4	01/87	01/95	1	2	No	SpS (m)	10/15/30	Tenn.
Texas	Ann W. Richards (D)	4	01/91	01/95	. . .	. . .	No	LG	09/01/33	Texas
Utah	Norman H. Bangerter (R)	4	01/85	01/93	1	. . .	Yes	LG	01/04/33	Utah
Vermont	Howard Dean (D)	2	08/91 (n)	01/93	. . .	. . .	No	LG	11/17/48	N.Y.

Table 2.2
THE GOVERNORS: QUALIFICATIONS FOR OFFICE

State or other jurisdiction	*Minimum age*	*State citizen (years)*	*U.S. citizen (years)*	*State resident (years)*	*Qualified voter (years)*
Alabama	30	7	10	7	. . .
Alaska	30	. . .	7	7	★
Arizona	25	5	10	. . .	. . .
Arkansas	30	. . .	★	7	. . .
California	18	. . .	5	5	★
Colorado	30	. . .	★	2	. . .
Connecticut	30	. . .	. . .	. . .	★
Delaware	30	. . .	12	6	. . .
Florida	30	. . .	. . .	7	★
Georgia	30	. . .	15	6	. . .
Hawaii	30	. . .	. . .	5	★
Idaho	30	. . .	★	2	. . .
Illinois	25	. . .	★	3	. . .
Indiana	30	. . .	5	5	. . .
Iowa	30	. . .	★	2	. . .
Kansas	. . .	. . .	. . .	. . .	. . .
Kentucky	30	6	★	6	. . .
Louisiana	25	5	5	. . .	★
Maine	30	. . .	15	5	. . .
Maryland	30	. . .	(a)	5	5
Massachusetts	. . .	. . .	. . .	7	. . .
Michigan	30	. . .	. . .	. . .	4
Minnesota	25	. . .	★	1	. . .
Mississippi	30	. . .	20	5	. . .
Missouri	30	. . .	15	10	. . .
Montana (b)	25	★	★	2	. . .
Nebraska (c)	30	5	5	5	. . .
Nevada	25	2	. . .	2	★
New Hampshire	30	. . .	. . .	7	. . .
New Jersey	30	. . .	20	7	. . .
New Mexico	30	. . .	★	5	★
New York	30	. . .	★	5	. . .
North Carolina	30	. . .	5	2	. . .
North Dakota	30	. . .	★	5	★
Ohio	. . .	. . .	★	. . .	★
Oklahoma	31	. . .	★	. . .	10
Oregon	30	. . .	★	3	. . .
Pennsylvania	30	. . .	★	7	. . .
Rhode Island	. . .	. . .	. . .	. . .	★
South Carolina	30	5	★	5	. . .
South Dakota	. . .	. . .	2	2	. . .
Tennessee	30	7	★	. . .	. . .
Texas	30	. . .	★	5	. . .
Utah	30	5	. . .	5	★
Vermont	. . .	. . .	. . .	4	. . .
Virginia	30	. . .	★	5	5
Washington	18	. . .	★	. . .	★
West Virginia	30	5	★	★	★
Wisconsin	18	. . .	★	. . .	★
Wyoming	30	. . .	★	5	★
American Samoa	35	. . .	★	5	. . .
Guam	30	. . .	5	5	★
No. Mariana Islands	35	. . .	. . .	10	★
Puerto Rico	35	5	5	5	. . .
U.S. Virgin Islands	30	. . .	5	5	★

Source: State constitutions and statutes.

Note: The information in this table is based on a literal reading of the state constitutions and statutes.

Key:

★ — Formal provision; number of years not specified.

. . . — No formal provision.

(a) *Crosse* v. *Board of Supervisors of Elections* 243 Md. 555, 221A.2d431 (1966) — opinion rendered indicated that U.S. citizenship was, by necessity, a requirement for office.

(b) No person convicted of a felony is eligible to hold office until final discharge from state supervision.

(c) No person in default as a collector and custodian of public money or property shall be eligible to public office; no person convicted of a felon shall be eligible unless restored to civil rights.

Table 2.3
THE GOVERNORS: COMPENSATION

State or other jurisdiction	Salary	Governor's office staff (a)	Access to state transportation			Travel allowance	Official residence
			Automobile	Airplane	Helicopter		
Alabama	$ 81,151	22	★	★	★	(b)	★
Alaska	81,648	66	★	★	★	(b)	★
Arizona	75,000	41	★	★	. . .	(b)	. . .
Arkansas	35,000	48	★	. . .	. . .	(c)	★
California	114,286 (d)	86	★	. . .	. . .	(c)	(e)
Colorado	70,000	39	★	★	. . .	(f)	★
Connecticut	78,000	38	★	. . .	. . .	(f)	★
Delaware	80,000	22	★	. . .	★	$13,000 (c)	★
Florida	103,909	242	★	★	. . .	(b)	★
Georgia	91,080	41	★	★	★	(f)	★
Hawaii	94,780	28 (g)	★	. . .	. . .	(f)	★
Idaho	75,000	21	★	★	. . .	(f)	. . .
Illinois	97,370	140	★	★	★	(b)	★
Indiana	74,100	35	★	★	★	0	★
Iowa	76,700	10	★	★	. . .	(b)	★
Kansas	74,235	28	★	★	. . .	(f)	★
Kentucky	79,255	49	★	★	★	(b)	★
Louisiana	73,440	45	★	. . .	★	(b)	★
Maine	70,000	21	★	★	. . .	(f)	★
Maryland	120,000	98	★	★	★	(f)	★
Massachusetts	75,000	65	★	★	★	(f)	. . .
Michigan	106,690	66	★	★	★	(b)	★
Minnesota	109,053	36	★	★	★	(f)	★
Mississippi	75,600	39 (h)	★	★	★	$24,017 (c,f)	★
Missouri	88,541	34	★	★	. . .	(c)	★
Montana	54,254	24	★	★	★	(b)	★
Nebraska	65,000	16	★	★	★	(b)	★
Nevada	82,391	14	★	. . .	. . .	(c)	★
New Hampshire	79,541	23	★	★	. . .	(f)	★ (i)
New Jersey	85,000	60	★	. . .	★	$100,000	★
New Mexico	90,692	54	★	★	★	$95,300 (c)	★
New York	130,000 (j)	216	★	★	★	(b)	★
North Carolina	123,000	86	★	★	★	$11,500	★
North Dakota	67,800	18.75	★	★	. . .	(f)	★
Ohio	99,986	68	★	★	★	(f)	★
Oklahoma	70,000	34	★	★	. . .	(f)	★
Oregon	80,000	34	★	. . .	. . .	(f)	★
Pennsylvania	105,000	87	★	★	. . .	(b)	★
Rhode Island	69,900	47	★	★	★	(f)	. . .
South Carolina	98,000	22	★	★	★	(f)	★
South Dakota	60,890	17	★	★	. . .	(f)	★
Tennessee	85,000	30	★	★	★	(f)	★
Texas	95,301	298	★	★	★	(b)	★
Utah	72,800	16	★	★	. . .	$26,000	★
Vermont	80,730	17	★	. . .	. . .	(f)	. . .
Virginia	105,882	36	★	★	★	(b)	★
Washington	112,000	37	★	★	. . .	$120,000 (c)	★
West Virginia	72,000	48	★	★	★	(k)	★
Wisconsin	92,283	38	★	★	. . .	(f)	★
Wyoming	70,000	7 (l)	★	★	. . .	(c)	★
American Samoa	50,000	23	★	. . .	. . .	$105,000 (c)	★
Guam	90,000	42	★	. . .	. . .	$218/day	★
No. Mariana Islands	50,000	9	★	. . .	. . .	(m)	★ (i)
Puerto Rico	70,000 (n)	N.A.	★	★	★	(f)	★
U.S. Virgin Islands	80,000	(o)	★	. . .	. . .	(f)	★

See footnotes at end of table.

THE GOVERNORS: COMPENSATION—Continued

Source: The Council of State Governments' survey, February 1992.

Key:
★ — Yes
. . . — No
N.A. — Not available

(a) Definitions of "governor's office staff" vary across the states — from general office support to staffing for various operations within the executive office.

(b) Reimbursed for travel expenses. Alabama — reimbursed up to $40/day in state; actual expenses out of state. Alaska — receives per diem based on location or actual expenses if exceeds per diem. Arizona — reimbursed for actual expenses. Florida — reimbursed at same rate as other state officials: in state, choice between $50 per diem or actual expenses; out of state, actual expenses. Illinois — no set allowance. Iowa — limit set in annual office budget. Kentucky — mileage at same rate as other state employees. Louisiana — reimbursed for actual expenses. Michigan — $35-50/day for in state; no state tax dollars used for out of state. Montana — reimbursed for actual and necessary expenses in state up to $55/day, and actual lodging plus meal allowance up to $30/day out of state (no annual limit). Nebraska — reasonable and necessary expenses. New York — reimbursed for actual and necessary expenses. Pennsylvania — reimbursed for reasonable expenses. Texas — reimbursed for actual expenses.

(c) Amount includes travel allowance for entire staff. Arkansas, Missouri — amount not available. California — $145,000 in state; $36,000 out of state. Nevada — $21,995 in state; $10,640 out of state. New Mexico — $95,300 (in state $40,800, out of state $54,500). Wyoming — $59,000 in state; $46,158 out of state.

(d) Governor has taken a voluntary 5% cut in statutory salary.

(e) In California—provided by Governor's Residence Foundation, a nonprofit organization which provides a residence for the governor of California. No rent is charged; maintenance and operational costs are provided by California Department of General Services.

(f) Travel allowance included in office budget.

(g) In Hawaii, does not include offices and commissions attached to governor's office.

(h) Currently 18; budget request is for 39.

(i) Governor does not occupy residence.

(j) Accepts $100,000.

(k) Included in general expense account.

(l) Also has state planning coordinator.

(m) Governor has a "contingency account" that can be used for travel expenses and expenses in other departments or other projects.

(n) Accepts $35,000.

(o) Governor's office staff includes office staff to various agencies of the U.S. Virgin Islands government.

THE GOVERNORS—Continued

State or other jurisdiction	*Name and Party*	*Length of regular term in years*	*Date of first service*	*Present term ends*	*Number of previous terms*	*Maximum consecutive terms allowed by constitution*	*Joint election of governor and lieutenant governor (a)*	*Official who succeeds governor*	*Birthdate*	*Birthplace*
Virginia	L. Douglas Wilder (D)	4	01/90	01/94	. . .	(g)	No	LG	01/17/31	Va.
Washington	Booth Gardner (D)	4	01/85	01/93	1	. . .	No	LG	08/21/36	Wash.
West Virginia	Gaston Caperton (D)	4	01/89	01/93	. . .	2 (o)	(c)	PS	02/21/40	W.V.
Wisconsin	Tommy Thompson (R)	4	01/87	01/95	1	. . .	Yes	LG	11/19/41	Wisc.
Wyoming	Michael (Mike) J. Sullivan (D)	4	01/87	01/95	1	. . .	(c)	SS	09/22/39	Neb.
American Samoa	Peter T. Coleman (R)	4	01/56	01/93	3 (p)	2 (q)	Yes	LG	12/08/19	A.S.
Guam	Joseph Ada (R)	4	01/87	01/95	1	2	Yes	LG	12/03/43	Guam
No. Mariana Islands	Lorenzo I. DeLeon Guerrero (R)	4	01/90	01/94	. . .	3 (r)	Yes	LG	01/25/35	Saipan
Puerto Rico	Rafael Hernandez-Colon (PDP)	4	01/73	01/93	2 (s)	. . .	(c)	SS	10/24/36	P.R.
U.S. Virgin Islands	Alexander A. Farrelly (D)	4	01/87	01/95	1	2	Yes	LG	12/29/23	V.I.

Key:
D — Democrat
I — Independent
PDP — Popular Democratic Party
R — Republican
LG — Lieutenant Governor
SS — Secretary of State
PS — President of the Senate
SpS — Speaker of the Senate
. . . — Not applicable

(a) The following also choose candidates for governor and lieutenant governor through a joint nomination process: Florida, Kansas, Maryland, Minnesota, Montana, North Dakota, Ohio, Utah, American Samoa, Guam, No. Mariana Islands and U.S. Virgin Islands.

(b) Served 1966-69, when he resigned to become Secretary, U.S. Department of Interior.

(c) No lieutenant governor.

(d) Served 1979-81, 1983-85, 1985-87 and 1987-1991. In 1984, a constitutional amendment passed which changed to four years the length of the governor's term (effective with the 1986 election).

(e) Absolute two-term limit, but not necessarily consecutive.

(f) Resigned in 1977 to accept appointment as Secretary, U.S. Department of Interior.

(g) Successive terms forbidden.

(h) Served 1972-76, 1976-1980, 1984-88.

(i) Succeeded to governor's office November 1988 to serve remainder of unexpired term.

(j) Served 1971-75 and 1979-83.

(k) Beginning in 1991, governor limited to two consecutive four-year terms.

(l) Prohibited from serving more than eight years out of a 12-year period.

(m) Official bears the additional statutory title of "lieutenant governor."

(n) Succeeded to governor's office August 1991 to serve remainder of unexpired term.

(o) Prohibited from serving in the term immediately following two consecutive terms regardless of whether the terms were filled in whole or in part.

(p) Presidentially appointed Governor 1956-61. Elected to three-year term in 1978; four-year terms in 1981 and 1989.

(q) Limit is statutory.

(r) Absolute three-term limitation, but not necessarily consecutive.

(s) Served 1973-1977 and 1985-1989.

Table 2.4
THE GOVERNORS: POWERS

State or other jurisdiction	Budget-making power		Veto power (a)					Authorization for reorganization through executive order (b)	Other statewide elected officials (c)	
	Full responsibility	Shares responsibility	No item veto	Item veto—2/3 legislators present to override	Item veto—majority legislators elected to override	Item veto—3/5 legislators elected to override	Item veto—at least 2/3 legislators elected to override		Number of officials	Number of agencies
Alabama	★	...	...	...	★	...	...	...	9	7
Alaska	★	...	...	...	...	...	★	C	1	0 (d)
Arizona	★	...	...	...	...	...	★	...	8	6
Arkansas	★	...	...	...	★	...	...	...	6	6
California	★	...	...	...	...	...	★	S	7	7
Colorado	...	★	...	...	...	...	★	...	13	5
Connecticut	★	...	...	...	...	...	★	...	5	5
Delaware	★	...	...	...	...	★	...	C	5	5
Florida	★	...	...	★	...	...	...	...	7	7
Georgia	★	...	...	...	...	...	★	S	12	8
Hawaii	★	...	...	...	...	...	★	(e)	1	1
Idaho	★	...	...	★	...	...	...	...	6	6
Illinois	★	...	...	...	...	★	...	C	14	6
Indiana	★	...	★	...	...	...	...	...	6	6
Iowa	★	...	...	...	...	...	★	...	6	6
Kansas	★	...	...	★	...	...	...	C	5	5
Kentucky	...	★	...	...	★	...	...	S	7	7
Louisiana	...	★	...	★	...	...	★	...	7	7
Maine	★	...	★	...	...	...	...	...	0	0
Maryland	★	...	...	...	...	★	...	C	3	3
Massachusetts	★	...	...	★	...	...	...	C	5	7
Michigan	★ (f)	...	...	...	...	...	★	C	35	7
Minnesota	★	...	...	...	...	...	★	S	5	5
Mississippi	...	★	...	...	...	...	★	S	7	7
Missouri	★	...	...	...	...	...	★	C	5	5
Montana	★	...	...	★	...	...	...	S	5	5
Nebraska	★	...	...	...	...	★	...	...	5	5
Nevada	★	...	★	...	...	...	...	...	5	5
New Hampshire	★	...	★	...	...	...	...	...	0	0
New Jersey	★	...	...	...	...	...	★	...	0	0
New Mexico	★	...	...	★	...	...	...	...	9	7
New York	★	...	...	...	...	...	★ (g)	...	3	3
North Carolina	...	★	(h)	...	...	...	...	C	9	9
North Dakota	★	...	...	...	...	...	★	...	13	11
Ohio	★ (f)	...	...	...	...	★	...	...	5	5
Oklahoma	★ (f)	...	...	...	...	...	★	S	10	8
Oregon	★	...	...	★	...	...	...	...	5	5
Pennsylvania	...	★	...	...	...	...	★	...	4	4
Rhode Island	★ (f)	...	★	...	...	...	...	...	4	4
South Carolina	...	★	...	★	...	...	...	...	8	10 (i)
South Dakota	★	...	...	...	...	...	★	C	9	7
Tennessee	★	...	...	...	★	...	...	S	3	1
Texas	...	★	...	★	...	...	...	...	9	7
Utah	★	...	...	★	...	...	...	...	4	4
Vermont	★	...	★	...	...	...	...	S	5	5

See footnotes at end of table.

THE GOVERNORS: POWERS—Continued

	Budget-making power		Veto power (a)						Other statewide elected officials (c)	
State or other jurisdiction	*Full responsibility*	*Shares responsibility*	*No item veto*	*Item veto—2/3 legislators present to override*	*Item veto—majority legislators elected to override*	*Item veto—3/5 legislators elected to override*	*Item veto—at least 2/3 legislators elected to override*	*Authorization for reorganization through executive order* (b)	*Number of officials*	*Number of agencies*
Virginia	★	. . .	. . .	★	. . .	. . .	. . .	S (j)	2	2
Washington	★	. . .	. . .	★	. . .	. . .	. . .	. . .	8	8
West Virginia	. . .	★	. . .	★	. . .	. . .	. . .	S	5	7
Wisconsin	★	. . .	. . .	★ (k)	. . .	. . .	. . .	. . .	5	5
Wyoming	★	. . .	. . .	. . .	. . .	. . .	★	. . .	4	4
American Samoa	. . .	★	. . .	. . .	. . .	. . .	★	S	1	1
Guam	★	. . .	. . .	. . .	. . .	. . .	★	★	1	1
No. Mariana Islands	. . .	★	. . .	. . .	. . .	. . .	★	★	1	1
Puerto Rico	★	. . .	. . .	. . .	. . .	. . .	★	. . .	0	0
U.S. Virgin Islands	★	. . .	. . .	. . .	. . .	. . .	★	. . .	1	1

Source: The Council of State Governments' survey, February 1992.

Key:

★ — Yes; provision for.

. . . — No; not applicable.

C — Constitutional

S — Statutory

(a) In all states, except North Carolina, governor has the power to veto bills passed by the state legislature. The information presented here refers to the governor's power to *item* veto—veto items within a bill—and the votes needed in the state legislature to override the item veto. For additional information on vetoes and veto overrides, as well as the number of days the governor is allowed to consider bills, see Table 3.19, "Enacting Legislation: Veto, Veto Overrides and Effective Date."

(b) For additional information on executive orders, see Table 2.5, "Gubernatorial Executive Orders: Authorization, Provisions, Procedures."

(c) Includes only executive branch officials who are popularly elected either on a constitutional or statutory basis (elected members of state boards of education, public utilities commissions, university regents, or other state boards or commissions are also included); the number of agencies involving these officials is also listed.

(d) Lieutenant governor's office is part of governor's office.

(e) Implied through a broad interpretation of gubernatorial authority; no formal provision.

(f) Full responsibility to propose; legislature adopts or revises and governor signs or vetoes.

(g) In New York, governor has item veto over appropriations.

(h) Governor has no veto power.

(i) Divisions within governor's office.

(j) For shifting agencies between secretarial offices; all other reorganizations require legislative approval.

(k) In Wisconsin, governor has "partial" veto over appropriation bills. The partial veto is broader than item veto.

Table 2.5
GUBERNATORIAL EXECUTIVE ORDERS: AUTHORIZATION, PROVISIONS, PROCEDURES

		Provisions									Procedures		
State or other jurisdiction	*Authorization for executive orders*	*Civil defense disasters, public emergencies*	*Energy emergencies and conservation*	*Other emergencies*	*Executive branch reorganization plans and agency creation*	*Create advisory, coordinating, study or investigative committees/commissions*	*Respond to federal programs and requirements*	*State personnel administration*	*Other administration*	*Filing and publication procedures*	*Subject to administrative procedure act*	*Subject to legislative review*
Alabama	S,I (a)	. . .	. . .	★ (b)	. . .	. . .	. . .	. . .	. . .	★ (c,d)	. . .	. . .
Alaska	C	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .	★	. . .	★
Arizona	I	★ (a)	★ (a)	★ (a)	. . .	. . .	. . .	. . .	. . .	★ (c)	. . .	. . .
Arkansas	S,I (e)	★	★	★	★	★	★	★	★	★	. . .	. . .
California	S	★	★	★	★	★	★	★	★	. . .	. . .	. . .
Colorado	S	★	★	★ (f)	. . .	. . .	. . .	. . .	. . .	★	. . .	. . .
Connecticut	S	★	★	★	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .
Delaware	C	★	★	★	★	★	★	★	★ (g,h)	★	. . .	. . .
Florida	C,S	★	★	★ (i)	. . .	★	★	★	★ (g,h)	★ (c)	. . .	. . .
Georgia	S,I (e)	★	★	★	★	★	★	★	★	★	. . .	. . .
Hawaii	. . .	(a)	. . .	. . .	★	. . .	. . .	. . .	★ (j)	. . .	. . .	. . .
Idaho	S	. . .	I	I	. . .	I	I	. . .	. . .	★ (c)	. . .	. . .
Illinois	C	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .	★ (c)	. . .	★ (k)
Indiana	I	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Iowa	S	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Kansas	S	★	★	. . .	★	★	. . .	★	★ (l)	★ (c,d,m)	. . .	. . .
Kentucky	S	★	. . .	★ (n)	★	. . .	★	★	★ (k,o,p,q)	★ (c)	. . .	★
Louisiana	S (r)	. . .	. . .	. . .	★	. . .	. . .	. . .	★ (s,t,u)	★ (m)	★	★ (t,u)
Maine	S	★	. . .	★ (v,w)	. . .	C,S	. . .	. . .	. . .	★ (d)	. . .	. . .
Maryland	C,S	★	★	. . .	★	★	★	★	★ (x)	★	★	★ (y)
Massachusetts	C,I	★	★	★ (f,v)	★	★	★	★	. . .	★ (m)	. . .	. . .
Michigan	C,S	★	. . .	. . .	★	★	. . .	. . .	★ (q)	★ (c)	★	★ (z)
Minnesota	S	★	★ (aa)	. . .	★	★	. . .	. . .	★ (bb)	★ (c,m)	. . .	★ (y)
Mississippi	S	★	★	. . .	★	★	★	. . .	★ (cc,dd)	★ (c)	★	. . .
Missouri	C	★	. . .	★	★	★	★	★	★	★ (y)	. . .	★ (y,ee)
Montana	S,I	★	★	. . .	★	★	★	. . .	★	★ (c)	. . .	. . .
Nebraska	S	★	★	. . .	. . .	★	. . .	★	. . .	. . .	. . .	. . .
Nevada	I	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New Hampshire	S	★	★ (a)	★	. . .	★	★	. . .	★ (q)	★	. . .	. . .
New Jersey	S	★	★	★ (ff)	. . .	. . .	. . .	. . .	★ (dd)	. . .	. . .	. . .
New Mexico	S	★	★	★	★	★	★	. . .	. . .	. . .	. . .	. . .
New York	I	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
North Carolina	S,I	S	S	S	S,C	I	S	S	S,C	S	. . .	★ (y)
North Dakota	S,I	★	. . .	. . .	. . .	. . .	. . .	. . .	★ (dd)	★	. . .	. . .
Ohio	C,S,I	★	★	★	★	★	★	★	★	★ (c)	. . .	. . .
Oklahoma	S,I	★	. . .	★ (v)	★	. . .	. . .	★	★ (gg)	★ (c)	★	★ (y)
Oregon	S	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Pennsylvania	C,S	★	. . .	★ (n,v,x,hh)	. . .	★	★	. . .	★ (ii)	★ (c,m)	. . .	. . .
Rhode Island	S (a)	★	★	. . .	. . .	. . .	. . .	. . .	★ (l)	. . .	. . .	. . .
South Carolina	I (e)	★ (dd)	. . .	★ (h,hh)	. . .	★	. . .	. . .	. . .	★ (c,d,jj)	. . .	. . .

See footnotes at end of table.

GUBERNATORIAL EXECUTIVE ORDERS—Continued

		Provisions								*Procedures*		
State or other jurisdiction	*Authorization for executive orders*	*Civil defense disasters, public emergencies*	*Energy emergencies and conservation*	*Other emergencies*	*Executive branch reorganization plans and agency creation*	*Create advisory, coordinating, study or investigative committees/commissions*	*Respond to federal programs and requirements*	*State personnel administration*	*Other administration*	*Filing and publication procedures*	*Subject to administrative procedure act*	*Subject to legislative review*
South Dakota	C	. . .	. . .	. . .	★	. . .	. . .	. . .	★ (t)	. . .	. . .	★
Tennessee	S,I	★	★	★	(kk)	★	★	★	★	★ (c)	★	★
Texas	S	★	★	★	. . .	★	★	. . .	. . .	★	. . .	. . .
Utah	S	. . .	★	. . .	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .
Vermont	S,I	★	★	. . .	★	★	. . .	. . .	. . .	★ (ll)	★	★ (mm)
Virginia	S,I	★	★	★ (r)	★ (nn)	★	★	★	★ (h,ii,oo)	★ (c)	. . .	. . .
Washington	S	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
West Virginia	S,I (e)	★	. . .	★	★	★	. . .	★	★ (pp)	★ (c,m)	. . .	. . .
Wisconsin	S	★	★	★	. . .	★	★	★	★ (p,dd,qq)	★ (c)	. . .	. . .
Wyoming	I	I	. . .	. . .	. . .	I	. . .	. . .	. . .	. . .	. . .	. . .
American Samoa	C,S	★	★	★	★	★	★	★	★	★ (rr)	★ (rr)	. . .
Guam	C	★	★	. . .	★	★	★	★	★	★	. . .	. . .
No. Mariana Islands	C	S	C	C,S	C,S	S,I	S	C,S	C	S	I	. . .
Puerto Rico	I	★	. . .	★	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .
U.S. Virgin Islands	C	★	★	★	★	★	★	★	★	★	. . .	★

Source: The Council of State Governments' survey, February 1992.

Key:
C — Constitutional
S — Statutory
I — Implied
★ — Formal provision
. . . — No formal provision

(a) Broad interpretation of gubernatorial authority.
(b) To activate or veto environmental improvement authorities.
(c) Executive orders must be filed with secretary of state or other designated officer. In Idaho, must also be published in state general circulation newspaper.
(d) Governor required to keep record in office. In Maine, also sends copy to Legislative Counsel, State Law Library, and all county law libraries in state.
(e) Some or all provisions implied from constitution.
(f) To regulate distribution of necessities during shortages.
(g) To reassign state attorneys and public defenders.
(h) To suspend certain officials and/or other civil actions.
(i) Local financial emergency, shore erosion, polluted discharge and energy shortage.
(j) Delegation of authority over real property (e.g., to counties for park purposes).
(k) Only if involves a change in statute.
(l) To transfer allocated funds.
(m) Included in state register or code.
(n) To give immediate effect to state regulations in emergencies.
(o) To control administration of state contracts and procedures.
(p) To impound or freeze certain state matching funds.
(q) To reduce state expenditures in revenue shortfall.
(r) Broad grant of authority.
(s) To designate game and wildlife areas or other public areas.
(t) Appointive powers.
(u) To suspend rules and regulations of the bureaucracy.
(v) For fire emergencies.
(w) For financial institution emergencies.
(x) To control procedures for dealing with public.
(y) Reorganization plans and agency creation.
(z) Legislative appropriations committees must approve orders issued to handle a revenue shortfall.
(aa) If an energy emergency is declared by the state's Executive Council or Legislature.
(bb) To assign duties to lieutenant governor, issue writ of special election.
(cc) To control prison and pardon administration.
(dd) To administer and govern the armed forces of the state.
(ee) For meeting federal program requirements.
(ff) To declare air pollution emergencies.
(gg) Relating to local governments.
(hh) To declare water, crop and refugee emergencies.
(ii) To transfer funds in an emergency.
(jj) Must be published in register if they have general applicability and legal effect.
(kk) Can reorganize, but not create.
(ll) Filed with legislature.
(mm) Only executive branch reorganization.
(nn) To shift agencies between secretarial offices; all other reorganizations require legislative approval.
(oo) To control state-owned motor vehicles and to delegate powers to secretaries and other executive branch officials.
(pp) Regarding annual reports of state agencies.
(qq) To transfer functions between agencies.
(rr) If executive order fits definition of rule.

Table 2.6
STATE CABINET SYSTEMS

	Authorization for cabinet system				Criteria for membership					
State or other jurisdiction	State statute	State constitution	Governor created	Tradition in state	Appointed to specified office (a)	Elected to specified office (a)	Gubernatorial appointment regardless of office	Number of members in cabinet (including governor)	Frequency of cabinet meetings	Open cabinet meetings
Alabama	...	...	...	★	...	...	★	28	Twice monthly (b)	...
Alaska	...	...	★	...	★	...	...	19	Regularly	★ (c)
Arizona	...	...	★	...	★	...	...	27	Weekly	...
Arkansas	★	...	...	...	★	...	...	17	Regularly	...
California	...	...	★	...	★	...	★	11	Every two weeks	...
Colorado	...	★	...	...	★	...	...	21	Twice monthly	★
Connecticut	★	...	...	...	★	...	...	24	Gov.'s discretion	...
Delaware	★	...	...	...	...	...	★ (d)	19	Gov.'s discretion	★
Florida	...	★	...	...	...	★	...	7	Every two weeks	★
Georgia						(e)				
Hawaii	...	...	...	★	★	★	★	24	Gov.'s discretion	...
Idaho						(e)				
Illinois	★	...	...	...	★ (d)	...	...	42 (f)	Gov.'s discretion (g)	★
Indiana						(e)				
Iowa						(e)				
Kansas	...	...	★	...	...	...	★	14	Monthly or as needed	...
Kentucky	★	...	...	...	★	...	...	13	Weekly	...
Louisiana	★	★	...	...	★	★	...	24	Monthly	...
Maine	...	...	...	★	...	...	★ (d)	17	Weekly	...
Maryland	★	...	...	...	★ (d)	...	...	20	Weekly	...
Massachusetts	★	...	...	...	★	...	...	12	Twice monthly	...
Michigan	...	...	★	...	★	★	★	30	Gov.'s discretion	...
Minnesota	...	...	★	...	★	...	...	26	Regularly	...
Mississippi						(e)				
Missouri	...	★	...	★	★	...	...	16	Gov.'s discretion	...
Montana	...	...	★	...	★	...	...	24	Monthly	★
Nebraska	...	...	★	...	★	...	...	27	Monthly	...
Nevada						(e)				
New Hampshire						(e)				
New Jersey	★	★	...	...	★	...	...	21	Once or twice monthly	...
New Mexico	★	...	...	...	★	...	...	17	Monthly	...
New York	...	...	...	★	★	...	...	7	Gov.'s discretion	...
North Carolina (h)	...	...	★	...	...	...	★	10	Monthly	...
North Dakota						(e)				
Ohio	★	...	...	...	★	...	★	31	Weekly	...
Oklahoma	★	...	...	...	...	...	★	16 (i)	Gov.'s discretion	...
Oregon						(e)				
Pennsylvania	★	...	...	...	★ (d)	...	...	20	Gov.'s discretion	★
Rhode Island						(e)				
South Carolina						(e)				
South Dakota	...	...	★	...	★	...	★	22	Gov.'s discretion	...
Tennessee	★	...	...	★	★	...	...	29	Gov.'s discretion	★
Texas						(e)				
Utah	...	...	★	(j)	★	...	...	21	Monthly	★
Vermont	★	...	...	...	★	...	...	6	Gov.'s discretion	...
Virginia	★	...	...	...	★	...	...	9	Gov.'s discretion	...
Washington	...	...	★	...	★	...	...	26	Twice monthly	...
West Virginia	★	...	...	...	...	...	★	8	Weekly	...
Wisconsin	★	...	...	...	★	...	...	9	Monthly	★
Wyoming (k)	★	...	...	...	★	...	...	13	Gov.'s discretion	★
American Samoa	★	...	...	...	★	...	...	16	Gov.'s discretion	★
Guam	...	...	★	...	★	...	...	79	Monthly	...
No. Mariana Islands	★	★	★	...	★	...	★	25	Monthly	...
Puerto Rico	★	★	...	...	★	...	...	17	Weekly	...
U.S. Virgin Islands	...	...	...	...	...	...	★	16	Gov.'s discretion	...

Source: The Council of State Governments' survey, February 1992.

Key:

★ — Yes

. . . — No

(a) Individual is a member by virtue of election or appointment to a cabinet-level position.

(b) More often during legislative sessions.

(c) Except when in executive session.

(d) With the consent of the Senate.

(e) No formal cabinet system. In Idaho, however, sub-cabinets have been formed, by executive order; the chairmen report to the governor when requested.

(f) Includes directors of three independent bonding agencies.

(g) Sub-cabinets meet monthly.

(h) Constitution provides for a Council of State made up of elective state administrative officials, which makes policy decisions for the state while the cabinet acts more in an advisory capacity.

(i) Includes lieutenant governor and secretary of state; other cabinet members are heads of state agencies.

(j) State Planning Advisory Committee, composed of all department heads serves as an informal cabinet. Committee meets at discretion of state planning coordinator.

(k) A four-year, phased-in executive reorganization currently being implemented. The first three cabinet-level agencies went on-line in July 1990; seven in 1991; remainder still in process.

Table 2.7
THE GOVERNORS: PROVISIONS AND PROCEDURES FOR TRANSITION

			Provision for:					
State or other jurisdiction	*Legislation pertaining to gubernatorial transition*	*Appropriations available to gov-elect*	*Gov-elect's participation in state budget for coming fiscal year*	*Gov-elect to hire staff to assist during transition*	*State personnel to be made available to assist gov-elect*	*Office space in buildings to be made available to gov-elect*	*Acquainting gov-elect staff with office procedures and routine office functions*	*Transfer of information (files, records, etc.)*
Alabama	. . .	. . .	•	(a)	•	•	•	. . .
Alaska	. . .	★	. . .	. . .	★	•	★	•
Arizona	. . .	. . .	★	. . .	•	•	•	•
Arkansas	★	$ 60,000 (b)	★	★	•	•	. . .	. . .
California	★	450,000	★	★	★	★	•	•
Colorado	★	10,000	. . .	★	★	★	★	★
Connecticut	★	25,000	•	★	•	★	. . .	★
Delaware	★	(c)	. . .	. . .	•	★	•	•
Florida	. . .	300,000 (d)	★	•	•	•	•	•
Georgia	★	★	•	★	★	★	•	★
Hawaii	★	100,000	★	★	★	★	★	★
Idaho	★	15,000	★	★	★	★	★	★
Illinois	★	. . .	★	★ (e)	★	★	★	★
Indiana	★	40,000	★	★	★	★	★	★
Iowa	★ (f)	10,000	★	★	• (g)	•	•	★ (h)
Kansas	★	100,000	★	★	★	★	★	★
Kentucky	★	Unspecified	★	★	★	★	★	★
Louisiana	★	10,000	★	★	★	★	★	★
Maine	★	5,000	★	★	★ (i)	•	★	•
Maryland	★	50,000	★	★	★	★	★	★
Massachusetts	. . .	★	★	•	•	•	•	★
Michigan	★	1,000,000 (j)	•	★	★	•	★	•
Minnesota	★	35,000	★	★	★	★	•	★
Mississippi	★	30,000	★	★	★	★	★	★
Missouri	★	100,000	★	★	•	★	•	• (k)
Montana	★	5,000	★	★	★	★	★	★
Nebraska	. . .	50,000	★	★	•	★	★	★
Nevada	. . .	5,000 (l)	★	. . .	•	★	•	•
New Hampshire	★	5,000	★	★	★	★	★	. . .
New Jersey	★	295,000	★	★	★	★	•	★
New Mexico	★	(m)	★	★	•	★	•	•
New York	. . .	. . .	•	•	•	•	•	•
North Carolina	★	50,000 (d)	• (n)	★	★	★	•	•
North Dakota	. . .	(o)	. . .	. . .	•	. . .	•	★
Ohio	★	(m)	. . .	★	★	★	. . .	•
Oklahoma	★	40,000	★	★	. . .	•	. . .	. . .
Oregon	★	20,000	★	★	★	★	★	★
Pennsylvania	★	100,000	. . .	★	•	★	★	. . .
Rhode Island	. . .	•	★	• (a)	•	•	•	•
South Carolina	★	50,000	. . .	★	★	★	★	★
South Dakota	★	10,000 (p)	•	★	•	★	•	★
Tennessee	★	★	•	. . .	. . .	. . .	•	•
Texas	. . .	. . .	★	★	•	. . .	. . .	•
Utah	. . .	Unspecified	. . .	. . .	. . .	. . .	. . .	. . .
Vermont	. . .	(c)	★ (q)	•	•	•	. . .	(r)
Virginia	. . .	(c)	. . .	★ (k)	★ (k)	★ (k)	★ (k)	★ (k)
Washington	★	Unspecified	•	•	•	•	•	•
West Virginia	. . .	. . .	. . .	. . .	. . .	•	•	. . .
Wisconsin	★	Unspecified	★	★	★	★	★	★
Wyoming	. . .	(m)	★	★	•	•	•	•
American Samoa	. . .	Unspecified	★ (s)	•	•	•	•	•
Guam	. . .	(t)	. . .	. . .	. . .	. . .	. . .	. . .
No. Mariana Islands	★	50,000	. . .	★	★	★	★	★
Puerto Rico	. . .	250,000 (d)	. . .	•	•	•	•	•
U.S. Virgin Islands	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .

Source: The Council of State Governments' survey, February 1992.

Key:

. . . — No provisions or procedures

★ — Formal provisions or procedures

• — No formal provisions, occurs informally

(a) Governor usually hires several incoming key staff during transition.

(b) Made available in 1983.

(c) Determined prior to each election by legislature.

(d) Inaugural expenses are paid from this amount.

(e) On a contractual basis.

(f) Pertains only to funds.

(g) Provided on irregular basis.

(h) Arrangement for transfer of criminal files.

(i) Budget personnel.

(j) Made available in 1990.

(k) Activity is traditional and routine, although there is no specific statutory provision.

(l) Is not adequate and is augmented by legislature.

(m) Legislature required to make appropriation; no dollar amount stated in legislation. In New Mexico, $50,000 was made available in 1990. In Wyoming, $10,000 was appropriated but not spent because governor was re-elected.

(n) New governor can submit supplemental budget.

(o) If necessary, submit request to State Emergency Commission.

(p) Made available for 1987.

(q) Responsible for the preparation of the budget; staff made available.

(r) Not transferred but use may be authorized.

(s) Can submit reprogramming or supplemental appropriation measure for current fiscal year.

(t) Appropriations given upon the request of governor-elect.

Table 2.8
IMPEACHMENT PROVISIONS IN THE STATES

State or other jurisdiction	*Governor and other state executive and judicial officers subject to impeachment*	*Legislative body which holds power of impeachment*	*Vote required for impeachment*	*Legislative body which conducts impeachment trial*	*Chief justice presides at impeachment trial* (a)	*Vote required for conviction*	*Official who serves as acting governor if governor impeached (b)*	*Legislature may call special session for impeachment*
Alabama	★ (c)	H	. . .	S	★	. . .	LG	★
Alaska	★	S	2/3 mbrs.	H	(d)	2/3 mbrs.	. . .	★
Arizona	★ (e)	H	maj. mbrs.	S	★	2/3 mbrs.	SS	★
Arkansas	★	H	. . .	S	★	2/3 mbrs.	. . .	. . .
California	★	H	. . .	S	. . .	2/3 mbrs.	LG	. . .
Colorado	★ (e)	H	maj. mbrs.	S	★	2/3 mbrs.	LG	★
Connecticut	★	H	. . .	S	★	2/3 mbrs. present	LG	. . .
Delaware	★	H	2/3 mbrs.	S	★	2/3 mbrs.	. . .	. . .
Florida	★	H	2/3 mbrs.	S	★	2/3 mbrs. present	LG	★
Georgia	★	H	. . .	S	★	2/3 mbrs. present	. . .	★
Hawaii	★ (f)	H	. . .	S	★	2/3 mbrs.	LG	★
Idaho	★	H	. . .	S	★	2/3 mbrs.	LG	. . .
Illinois	★	H	maj. mbrs.	S	★	2/3 mbrs.	LG	★
Indiana	★	H	. . .	S	. . .	2/3 mbrs.	. . .	. . .
Iowa	★	H	. . .	S	. . .	2/3 mbrs. present	LG	. . .
Kansas	★	H	. . .	S	. . .	2/3 mbrs.	. . .	. . .
Kentucky	★	H	. . .	S	. . .	2/3 mbrs. present	. . .	. . .
Louisiana	★	H	. . .	S	. . .	2/3 mbrs.	. . .	★
Maine	★	H	. . .	S	. . .	2/3 mbrs. present	. . .	★
Maryland	★	H	maj. mbrs.	S	. . .	2/3 mbrs.	. . .	. . .
Massachusetts	★	H	. . .	S	. . .	. . .	. . .	★
Michigan	★	H	maj. mbrs.	S (g)	★	2/3 mbrs.	. . .	. . .
Minnesota	★	H	maj. mbrs.	S	. . .	2/3 mbrs. present	LG	. . .
Mississippi	★	H	2/3 mbrs. present	S	★	2/3 mbrs. present	. . .	. . .
Missouri	★	H	. . .	(h)	(h)	(h)	LG	. . .
Montana	★	H	2/3 mbrs.	S	. . .	2/3 mbrs.	. . .	★
Nebraska	★	S (i)	maj. mbrs.	(j)	(j)	(j)	. . .	★
Nevada	★ (e)	H	maj. mbrs.	S	★	2/3 mbrs.	LG	. . .
New Hampshire	★	H	. . .	S	★	. . .	. . .	. . .
New Jersey	★ (k)	H	maj. mbrs.	S	★	2/3 mbrs.	. . .	★
New Mexico	★	H	maj. mbrs.	S	★	2/3 mbrs.	. . .	★
New York	★	H	maj. mbrs.	(l)	. . .	2/3 mbrs. present	LG	★
North Carolina	★	H	. . .	S	★	2/3 mbrs. present	. . .	★
North Dakota	★ (e)	H	maj. mbrs.	S	★	2/3 mbrs.	LG	. . .
Ohio	★	H	maj. mbrs.	S	. . .	2/3 mbrs.	. . .	★
Oklahoma	★ (c)	H	. . .	S	★	2/3 mbrs. present	LG	★
Oregon	(m)							
Pennsylvania	★	H	. . .	S	. . .	2/3 mbrs. present	. . .	★
Rhode Island	★	H	(n)	S	★	2/3 mbrs.	LG	. . .
South Carolina	★	H	2/3 mbrs.	S	★	2/3 mbrs.	. . .	. . .
South Dakota	★ (e)	H	maj. mbrs.	S	★	2/3 mbrs.	LG	. . .
Tennessee	★	H	. . .	S	★	2/3 mbrs. (o)	. . .	★
Texas	★	H	. . .	S	. . .	2/3 mbrs. present	LG	. . .
Utah	★ (e)	H	2/3 mbrs.	S	★	2/3 mbrs.	LG	. . .
Vermont	★	H	2/3 mbrs.	S	. . .	2/3 mbrs. present	. . .	. . .

See footnotes at end of table.

IMPEACHMENT PROVISIONS IN THE STATES—Continued

State or other jurisdiction	*Governor and other state executive and judicial officers subject to impeachment*	*Legislative body which holds power of impeachment*	*Vote required for impeachment*	*Legislative body which conducts impeachment trial*	*Chief justice presides at impeachment trial* (a)	*Vote required for conviction*	*Official who serves as acting governor if governor impeached (b)*	*Legislature may call special session for impeachment*
Virginia	★	H	. . .	S	. . .	2/3 mbrs. present	. . .	★
Washington	★ (e)	H	maj. mbrs.	S	★	2/3 mbrs.	. . .	★
West Virginia	★	H	. . .	S	★	2/3 mbrs.	. . .	★
Wisconsin	★	H	maj. mbrs.	S	. . .	2/3 mbrs. present	LG	. . .
Wyoming	★ (e)	H	maj. mbrs.	S	★	2/3 mbrs.	SS	. . .
Dist. of Columbia	(p)							
American Samoa	(q)	H	2/3 mbrs.	S	★	2/3 mbrs.	. . .	. . .
Guam	(p)							
No. Mariana Islands	★	H	2/3 mbrs.	S	. . .	2/3 mbrs.	. . .	. . .
Puerto Rico	(r)	H	2/3 mbrs.	S	★	3/4 mbrs.	. . .	★
U.S. Virgin Islands	(p)							

Source: State constitutions and statutes.

Note: The information in this table is based on a literal reading of the state constitutions and statutes. For information on other methods for removing state officials, see Table 4.5, "Methods for Removal of Judges and Filling of Vacancies," and Table 5.24, "Provisions for Recall of State Officials."

Key:

★ — Yes; provision for
. . . — Not specified, or no provision for
H — House or Assembly (lower chamber)
S — Senate
LG — Lieutenant governor
PS — President or speaker of the Senate
SS — Secretary of state

(a) Presiding justice of state court of last resort. In many states, provision indicates that chief justice presides only on occasion of impeachment of governor.

(b) For provisions on official next in line on succession if governor is convicted and removed from office, refer to Table 2.1, "The Governors."

(c) Includes justices of Supreme Court. Other judicial officers not subject to impeachment.

(d) A Supreme Court justice designated by the court.

(e) With exception of certain judicial officers. In Arizona, Washington, and Wyoming—justices of courts not of record. In Colorado—county judges and justices of the peace. In Nevada and Utah—justices of the peace. In North Dakota and South Dakota—county judges, justices of the peace, and police magistrates.

(f) Governor, lieutenant governor, and any appointive officer for whose removal the consent of the Senate is required.

(g) House elects three members to prosecute impeachment.

(h) All impeachments are tried before the state Supreme Court, except that the governor or a member of the Supreme Court is tried by a special commission of seven eminent jurists to be elected by the Senate. A vote of 5/7 of the court of special commission is necessary to convict.

(i) Unicameral legislature; members use the title "senator."

(j) Court of impeachment is composed of chief justice and all district court judges in the state. A vote of 2/3 of the court is necessary to convict.

(k) All state officers while in office and for two years thereafter.

(l) Court for trial of impeachment composed of president of the Senate, senators (or major part of them), and judges of Court of Appeals (or major part of them).

(m) No provision for impeachment. Public officers may be tried for incompetency, corruption, malfeasance, or delinquency in office in same manner as criminal offenses.

(n) Vote of 2/3 members required for an impeachment of the governor.

(o) Vote of 2/3 of members sworn to try the officer impeached.

(p) Removal of elected officials by recall procedure only.

(q) Governor, lieutenant governor.

(r) Governor and Supreme Court justices.

THE EXECUTIVE BRANCH: ORGANIZATION AND ISSUES, 1990-91

By Thad L. Beyle

Separately Elected Officials

Not all that goes on in state executive branches is related to the governor. There are other officials who are elected statewide and have policy and programmatic responsibilities in state executive branches, over 500 of them, in fact, including 42 lieutenant governors, 43 attorneys general, 38 treasurers, 36 secretaries of state and 25 auditors. The states also elect 12 commissioners of agriculture, 16 comptrollers, five land commissioners, four labor commissioners and one commissioner of mines. Eleven states elect their public utility boards or commissioners. And while the numbers vary from year to year, in 1992, 11 states will elect state boards of election and 15 superintendents of education.[1] Some other officials, such as those in the post-audit function and some in the lieutenant governor's role, are appointed by the legislature.

Lieutenant governors. In a continuation of the politics of so many states at the top of the state executive branch, the relations between Gov. Wallace Wilkinson (Kentucky-D, 1987-91) and then lieutenant governor and now Gov. Brereton Jones (D, 1991-) were very uneasy. However, Jones did block Wilkinson's attempt "to overturn the state's one-term-and-out rule for gubernatorial incumbents" from his position as legislative leader.[2]

Lt. Gov. Evelyn Murphy (Mass.-D, 1987-91) took command of that state's executive branch when Gov. Michael Dukakis was in Germany on a trade mission with a group of businessmen and announced her own plans to rescue the state's ailing finances. As acting governor, she proposed executive orders "to slash the state work force and cut salaries for some state workers . . . (and) also asked agencies to cut their 1992 budgets 10 percent below current spending levels."[3] In less than a week, she dropped out of the race for the Democratic nomination for governor due to the negative impact of her actions.[4]

In Idaho, the fight was between the Republican lieutenant governor and Senate Democrats over whether the former could break a partisan tie (21-21) in the selection of a president pro tem of the Senate. Taking their argument to the state's Supreme Court, the Democrats felt that the leadership power should be shared due to the tie. The Court ruled in favor of the Republicans on the question of whether the lieutenant governor has the power to cast a tie-breaking vote on this question as provided in the state's constitution.[5]

When Vermont Gov. Richard Snelling died, Lt. Gov. Howard Dean (Vermont-D, 1987-91) became acting governor, not governor, to fill out Snelling's two-year term. That state's constitution does not provide for full succession to the governorship. Dean, who had been a part-time legislator and then lieutenant governor, continues to teach medicine at the University of Vermont and operate a private practice with his wife.[6]

In the 1990 elections, four state senators moved up to the office of lieutenant governor; three of them preside over the chamber in which they previously served.[7] In the 1991 elections, three new lieutenant governors were selected, two by the voters in Kentucky and Louisiana, and one by the Mississippi state legislature when no candidate won over 50 percent of the general election vote as required by the state constitution. Eddie Briggs,

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the Republican candidate in that race, led with 49.3 percent of the popular vote to 41.5 percent for Brad Dye, the Democratic incumbent. Dye conceded the election, and despite strong Democratic control — 81 percent of all legislators — Briggs was named lieutenant governor by the legislature. In Montana, the lieutenant governor, Allen Kolstad, received a federal appointment and was replaced by gubernatorial appointee Dennis Rehberg. Only two of six lieutenant governors who sought the governorship in the two-year period were successful.[8]

The 42 lieutenant governors in 1992 included seven women and 34 men, and one open seat due to the elevation of Lt. Gov. Dean to the Vermont governorship. There were 23 Democrats, 16 Republicans, two Independents (Jack Coghill of Alaska and Eunice Groak of Connecticut, who both ran as members of a governor-lieutenant governor team in the general election), plus the open seat. These lieutenant governors represent a variety of occupations including 14 lawyers, 12 from business, four from education, three self-styled public officials, two working in insurance, an accountant/CPA, a contract administrator, an engineer, an independent lobbyist, one in public relations, a rancher, and the physician who became governor.[9]

Attorneys general. Two state supreme court decisions upheld the powers of their state's attorney general at the expense of other state officials. Alabama's Supreme Court ruled that the attorney general "has the power to manage and control all litigation on behalf of the state." The case concerned the state's appointed insurance commissioner instituting a mandamus proceeding "in an appellate court to seek review of a trial court order." The court ruled the attorney general had the authority to dismiss the proceeding even though the commissioner objected to the dismissal.[10]

In Iowa, the state Supreme Court upheld the attorney general's authority to intervene as a separate party in a licensing board's decision. The case concerned the attorney general's filing a petition to have the board rehear a decision and to have the board represented by outside counsel due to a potential conflict of interest. The court upheld the decision of the attorney general.[11]

The 43 elected attorneys general in 1992 included five women and 38 men (29 Democrats; 14 Republicans), all attorneys. Attorney General Susan Loving of Oklahoma was appointed to fill the vacancy when the incumbent resigned. All seven attorneys general who sought the governorship in the two-year period lost, as did the two former attorneys general.[12]

Secretaries of State. In 1991, the National Association of Secretaries of State and The Council of State Governments issued a report based on a survey of the office in the 50 states and four territories. In those states where many of these duties are performed by the lieutenant governor's office, information was provided by that office. The report spells out the electoral, legislative, registration, filing and licensing, publishing and additional duties of the offices.[13]

The 36 elected secretaries of state in 1992 included 10 women and 26 men; 21 Democrats and 15 Republicans.[14] Two of the women were minorities, March Fong Eu (California-D, 1975-), the first Asian/Pacific Islander woman ever elected to a statewide executive position, and Stephanie Gonzales (New Mexico-D, 1991-), who is Hispanic.[15] Their occupations include eight educators, eight lawyers and eight self-styled public officials, two accountants/CPAs and two in communications, a businessman, an economic consultant, a farmer, a leasing manager, a nurse, an office manager, a pharmacist, and a secretary.[16] Two secretaries of state were successful in their campaigns for governor in the two-year period, a former secretary of state was not.[17]

There has been continuing ferment in Wisconsin as some state legislators have been trying to kill the office and redistribute its duties to other offices in state government. However, since such a proposal needs a positive vote in two consecutive legislative sessions, and then voter approval, acceptance of the proposal is unlikely.[18]

Treasurers. In 1990, Mississippi voters finally eliminated the constitutional provision that the treasurer and the governor had to count state revenues twice each year — by hand![19] Two treasurers who sought the governorship in the 1990 elections won, while incumbent treasurers in Oklahoma, Nebraska and Wisconsin were defeated in their bids for reelection due to scandals in their office.[20]

The 38 popularly-elected treasurers in 1992 included 14 women and 24 men (23 Democrats; 15 Republicans). Their occupations include 12 self-styled public officials, seven accountant/CPAs, six lawyers, five business persons, two ranchers, a banker, a college administrator, a marketing analyst, a researcher, a security agent and a teacher.[21]

Education. How chief state public school officers are selected continues to be the subject of controversy in many states, as this function has so many elected and appointed officials at the top of state government involved in policy development and administration. As of 1990, these education "CEOs" were selected in the following manner: 15 elected by the public; three appointed by the governor alone and four by the governor with legislative approval; 23 appointed by the board of education alone, three appointed by the board with the governor's approval, and two appointed by the board with legislative approval. The 15 separately elected superintendents of public instruction in 1992 included eight women and seven men.

To further confound the question of who has responsibility, the state boards were selected in a variety of ways: 11 were elected; 32 were appointed by the governor; two were appointed by the legislature; three had a mixed method; and one was elected by local boards. One state, Wisconsin, has no statewide board. What this all adds up to is 10 separate models in the states as to how public education is governed.[22]

In Kentucky, an overhauling of the education system reduced the role of the elected superintendent of public instruction to "a figurehead," while upgrading the state's Board for Elementary and Secondary Education and providing for an appointed commissioner of education to head the Department of Education.[23]

Auditors. A recent study of the office of auditor at the state and local levels of government found a trend toward auditors being more activist in their approach. Activist auditors are more likely to identify "major social and policy problems in their jurisdiction; . . . go beyond the mandate of an audit initiated by an outside authority; . . . self initiate important audits; . . . issue special reports such as budget surveys and/or reports on financial trends; . . . adhere to generally accepted government auditing standards; and . . . see the public (and its representatives) as their ultimate clients . . . "[24]

While author Edward M. Wheat argues that "not all auditors are performance auditors; and not all performance auditors qualify as activist auditors," he does indicate that, in 1990, 36 states did have "an active, formal performance audit or evaluation function."[25] Specifically cited was a 1986 performance audit by the Tennessee Department of State Audit.[26]

The 25 elected auditors in 1992 included five women and 20 men.[27] In the two-year period, four state auditors ran for governor with only one being successful, Arne Carlson (R) of Minnesota.[28]

Executive Branch Reorganization

During the biennium, several governors suggested reorganization of portions of the state executive branch to help balance the state budget. Some common threads of these proposals included: moving the Medicaid function away from welfare, either into a separate department or into the health department; trying to reduce the number of agencies either by eliminating several small boards or commissions, or creating an umbrella agency and merging them into it; or eliminating boards and commissions in favor of a single appointed agency head.[29]

Since 1985, every state has had some sort of program implemented, office established, or executive action taken to reorganize, improve productivity, and/or improve the management of state government. The National Governors' Association reported that 14 states indicated some action in reorganization, 23 established an external commission to review organization, productivity or management, and 14 developed internal efficiency programs. Twenty-nine of these efforts were started in this most recent two-year period.[30]

While specific reorganization proposals were made in Maine, Michigan, Mississippi, New Jersey, New Mexico, Oregon, Rhode Island, South Carolina, Utah, Virginia and West Virginia in the past two years, only a few were adopted. In 1991, Gov. Pete Wilson (R) was able to merge three independent boards into a California Environmental Protection Agency,[31] and Pennsylvania's Department of Environmental Resources was reorganized. As noted earlier, Kentucky undertook a restructuring of the state Department of Education, and Tennessee created a Department of Youth Development.[32] Gov. Evan Bayh (D) of Indiana was able to combine the departments of human services, public welfare, and mental health into a single Family and Social Services Department.[33]

However, some proposals were defeated. In North Dakota, voters soundly rejected a proposed constitutional amendment calling for a reorganization of the state executive branch.[34] And in Michigan, Gov. John Engler (R) found his proposal to reorganize the Department of Natural Resources enjoined by a state circuit court decision. He is appealing the decision to the state Supreme Court to protect the "integrity of a governor's power to make organizational changes within the executive branch."[35]

In a new twist, Maryland Gov. Donald Schaefer (D) has initiated a management experiment in which cabinet members trade jobs for a month, and then make suggestions for changes and improvements in the visited department based on their experience. Initial results indicate that while some cabinet members worried about intrusions onto their turf, a side benefit was the "renewed vigor and fresh ideas for the other people's bailiwicks."[36]

Looking to the Future

Many states are developing a more sophisticated approach to identifying what may be around the corner. Called by many names, the common goal is to develop a way to anticipate what the state, its economy and its citizens may be facing in the years to come. State leaders feel these efforts are important for several reasons: helping them anticipate changes; helping them set goals; aiding them in making "more informed and wiser decisions"; enhancing communication throughout "state government and with the public"; and because these efforts are "needed now more than ever in an era of so-called 'Fend For Yourself Federalism.' "[37]

There are several models among the 31 such entities developed in the states over the past two decades: the state futures commission model, which is created outside of state government and involves a broad range of private citizens and public officials; the executive branch model, tied to the state planning and/or policy effort; the executive agency model, in which specific agencies engage in foresight activities in such areas as economic development or health; the legislative branch model, much akin to the executive branch model, but with the goal of helping the legislature; the judicial branch model, which focuses on the criminal justice system and its future; and the private sector model established entirely outside of government by private citizens with an interest in state government.[38]

These efforts take a longer viewpoint and can set longer-term goals than the policy agenda techniques readily available to most governors and state legislatures.[39] But to be effective, longer-range and shorter-range processes must be brought together so each informs the other.

Open Government

Issues concerning the openness of governmental decision-making processes and records continue to be part of the state agendas, and openness does not always win. In Florida, a state Supreme Court decision held that the state's open records law does not apply to the constitutional offices of the courts, the legislature, the governor and the cabinet; it applies only to those agencies created by statute. This was not a final decision, however, as the Court has granted a rehearing on the issue.[40] In Virginia, the governor's telephone records were declared exempt from the state's Freedom of Information Act. The Court argued that such coverage would violate the constitution's separation of powers provision, and that making such information available "could have a chilling effect on the governor's use of the telephone for conducting the Commonwealth's business over the telephone."[41]

However, the Michigan Board of Regents lost a battle over secrecy when the state Supreme Court ruled the Board had circumvented the state's Open Meetings Act by using "telephone calls and subquorum meetings." The case in point was the search for a new university president. The decision does not invalidate that search, but does mean that all future searches must be made public. The Regents have asked the Court to reverse the ruling due to the delicate nature of such searches and the unwillingness of many candidates to have their candidacy made public.[42]

Ethics

Over the two-year period, several members of the state executive branch found themselves caught in questionable ethical situations. For some, it helped end their bids for reelection. Included were the treasurers of Oklahoma (investment scandal),[43] Nebraska (in which allegations of misuse of state telephones were plea bargained by the incumbent), and Wisconsin (in which the long term incumbent's work habits and improper use of state phones led to action by the state ethics board).[44] The attorney general of Arkansas was convicted of using state government funds for personal meals, vacations and gifts.[45]

Two governors have been dogged by allegations of wrong-doing prior to taking office. In Arizona, Fife Symington (R, 1991-) has seen his popularity dwindle due to allegations that he used his position on the board of a savings and loan bank with "reckless abandon." Several of his actions as governor also have raised additional questions.[46] In Oklahoma, David Walters (D, 1991-), the target of an investigation into campaign finance irregularities, has made a series of appointments of "max contributors" to various state positions which have hurt his credibility.[47] The investigation was dropped, but his popularity among the voters suffered.[48]

Alabama Gov. Guy Hunt (R, 1987-) was challenged by the state ethics commission over his use of a state airplane for preaching engagements. Hunt repaid the state for the use of the plane with "offerings" he received while preaching.[49] Former Rhode Island Gov. Edward DiPrete (R, 1985-91) was fined $30,000 by the state's ethics commission "for steering state contracts to two political cronies" and for not filing a conflict-of-interest statement.[50]

In Louisiana, the insurance commissioner was convicted of corruption, specifically of money laundering, conspiracy and mail fraud in connection with the collapse of an insurance company from which he took campaign contributions and granted regulatory favors.[51] In New Jersey, a former deputy attorney general was convicted of racketeering, and in Tennessee, the secretary of state committed suicide after being linked to a corruption case.[52]

In what must seem like *deja vu*, the governors of North Carolina and West Virginia have had major problems in their state corrections departments, leading to a series of forced resignations of top officials.[53]

States continue to respond by establishing codes of ethics and ethics commissions, and trying to control the role and impact of money in political campaigns. On the ethics side, the latest state to do so is Texas, where voters in 1991 approved by a somewhat narrow margin (53.5 percent to 46.5 percent) the establishment of an ethics commission to review the conduct of lobbyists, candidates and elected officials.[54] On the political money side, Florida legislation has reduced the limits on contributions by individuals, PACs and corporations to state candidates, and has created a fully funded public campaign finance system that limits spending to $2 million for each candidate for a cabinet seat and $5 million for governor.[55] Other states also are considering controls on political money.

Two states found some interesting twists to their ethics in government situations. In Rhode Island there have been so many scandals that the state Ethics Commission found that it would run out of money before year's end. The tab to keep the Commission running was estimated at $50 million in a state with serious financial difficulties. If new funds were not forthcoming, the Commission would have to sue the state as the state's Constitution requires there be an ethics commission.[56] In South Carolina, that state's ethics law is causing problems in higher education as it restricts faculty and other scholars' ability to accept funds for travel and honoraria for attending conferences or presenting research results. The law stipulates that one "may not accept anything of value related to performance of . . . official duties."[57]

Notes

[1] Table 1, "Methods of Selection and Length of Terms for Chief State Public School Officers and for State Boards of Education," *North Carolina Insight* 12:3 (September 1990), 8-9.

[2] Rob Gurwitt, "Brereton Jones: Tough Enough," *Governing* 5:4 (January 1992), 19.

[3] Associated Press, "With Dukakis away, acting chief will play," *Virginian-Pilot and the Star Ledger* (September 8, 1990), A8.

[4] Associated Press, "Mutinous Murphy gives up the ship, drops out of Mass. governor's race," *Durham Morning Herald* (September 11, 1990), A5.

[5] "Partisanship is alive and well in Idaho," *State Legislatures* 17: (March 1991), 12-13.

[6] Bethany Kandel, "Vermont's 5-term governor dies," *USA TODAY* (August 15, 1991), 3A.

[7] "Some senators became lieutenant governors," *State Legislatures* 17:1 (January 1991), 10.

[8] The two successful candidates were Zell Miller (D) of Georgia and Brereton Jones (D) of Kentucky; those who lost in their bids were Steve McAlpine (D) of Alaska, Jo Ann Zimmerman (D) of Iowa, Evelyn Murphy (D) of Massachusetts, and Robert S. Kerr, III (D) of Oklahoma.

[9] Dag Ryen, "Who's running the statehouses," *State Government News* 35:2 (February 1992), 11-13.

[10] *Ex parte: Mike Weaver, as Commissioner of Insurance of the State of Alabama* (re: *Sanderson v. Blue Cross-Blue Shield of Alabama*), No. 89-418, October 12, 1990. See "Alabama holds the Attorney General controls the conduct of all state litigation," *State Constitutional Law Bulletin* 4:4 (December 1990), 2.

[11] *Fisher v. Iowa Board of Optometry Examiners*, 476 N.W. 2d 48 (Iowa 1991). See "Iowa Attorney General may intervene on judicial review of License Board Decisions," *State Constitutional Law Bulletin* 5:4 (January 1992), 4.

[12] They were: Don Siegelman (D) of Alabama, John Van de Kamp (D) of California, Neil Hartigan (D) of Illinois, Tom Miller (D) of Iowa, Anthony Celebrezze (D) of Ohio, Dave Frohnmayer (R) of Oregon, and Jim Mattox (D) of Texas; the two former attorneys general who lost were Francis Bellotti (D) of Massachusetts and Paul Bardacke (D) of New Mexico.

[13] National Association of Secretaries of State, *Secretary of State: The Office and Duties* (Lexington, KY: The Council of State Governments, 1991).

[14] National Association of Secretaries of State, 2.

[15] Center for the American Woman and Politics, Fact Sheet: "Women of Color in Elective Office 1990," (New Brunswick, NJ: Eagleton Institute of Politics, Rutgers University, October 1990).

[16] Dag Ryen, 12; Kathleen S. Connell, "A Proud Nurse," in Letter to the Editor, *State Government News*, 35:4 (April 1992), 6.

[17] The two winning secretaries of state were Jim Edgar (R) of Illinois and Barbara Roberts (D) of Oregon; the losing former secretary of state was Jack Raines (R) of Texas.

[18] William Schureman, "In Briefs: Wisconsin," *Comparative State Politics* 11:5 (October 1990), 49-50.

[19] "Constitutional Amendments," *State Constitutional Law Bulletin* 4:4 (December 1990), 5.

[20] "Final election results: Oklahoma," *USA TODAY* (November 8, 1990), 9A.

[21] Dag Ryen, 13.

[22] Table 1 and Table 2, "Methods of Selection and Length of Terms for Chief State School Officers and for State Boards of Education," *North Carolina Insight* 12:3 (September 1990), 8-9, 18.

[23] Tim Storey, "Kentucky Redesigns Its Schools," *State Legislatures* 16:6 (July 1990), 47.

[24] Edward M. Wheat, "Activist Auditor: A New Player in State and Local Politics," *Public Administration Review* 51:5 (September/October 1991), 388.

[25] Wheat, 388-389.

[26] Wheat, 391.

[27] "Fact Sheet: Statewide Elective Executive Women 1991," 2.

[28] The three auditors who lost in their bids for the governorship were: Pete Johnson (R) in Mississippi; Barbara Hafer (R) in Pennsylvania; and Terry Williams (R) in Tennessee.

[29] "Reorganization and Cost Saving," *State Policy Reports* 9:6 (March 1991), 4-5.

[30] "Efforts to Improve Management," *Governors' Weekly Bulletin* 25:36 (September 13, 1991), 2.

[31] Richard W. Gable, "California: Pete Wilson, California's New-Breed Republican," in Thad L. Beyle, ed., *Governors and Hard Times* (Washington, D.C.: CQ Press, 1992), 46.

[32] "Efforts to Improve Management," 2.

[33] Matthew Davis, "Governors Cite 1991's Major Accomplishments: State Management," *Governors Bulletin* 26:3 (January 31, 1992), 1.

[34] "North Dakota voters take a dim view of governor's explanations," *State Legislatures* 16:2 (February 2, 1990), 11.

[35] "Engler Asks Michigan Court To Reverse Decision," *Governors' Bulletin* 26:5 (March 2, 1992), 4.

[36] "Shaking up the bureaucracy," *State Legislatures* 17:12 (December 1991), 10.

[37] Keon S. Chi, "Foresight in State Government," *The Journal of State Government* 64:1 (January/March 1991), 3.

[38] Chi, 3-8. See also Chi, "Road maps to tomorrow," *State Government News* 34:10 (November 1991), 31.

[39] James J. Gosling, "Patterns of Stability and Change in Gubernatorial Policy Agendas," *State and Local Government Review* 23:1 (Winter 1991), 3-12.

[40] *Locke v. Hawke*, consolidated with *Florida House of Representatives v. Gordon*, Judge Case Nos. 76,090, 76,803, 1991 WL 231589. See "Florida's open records law does not apply to courts, legislature, governor, or cabinet," *State Constitutional Law Bulletin* 5:4 (January 1992), 2.

[41] *Taylor v. Worrell Enterprises, Inc.*, 409 S.E. 2d 136 (Va. 1991). See "Virginia's Open Records Law Inappropriate to Governor's Telephone Records," *State Constitutional Law Bulletin* 5:4 (January 1992), 1-2.

[42] Mary Crystal Cage, "Court rules that U. of Mich. violated state open meeting act," *Chronicle of Higher Education* 38:24 (February 19, 1992), A22.

[43] "Final election results: Oklahoma," *USA TODAY* (November 8, 1990), 9A.

[44] "Zeuske Ousts Smith as State Treasurer," *The Milwaukee Journal* (November 7, 1990), B5.

[45] Amy E. Young, "In the States," *Common Cause Magazine* 17:3 (May/June 1991), 41.

[46] Ruth S. Jones and Katheryn A. Lehman, "J. Fife Symington III: The CEO Approach," in Thad L. Beyle ed. *Governors and Hard Times* (Washington, D.C.: CQ Press, 1992), 38-41.

[47] Richard Johnson, "Oklahoma Governor in Hot Water," *Comparative State Politics* 12:4 (August 1991), 19-20.

[48] Debbie Howlett, "Governors' year almost as bad as Gorbachev's," *USA TODAY* (December 26, 1991), 6A.

[49] Mark Mayfield, "Preaching, politics don't mix in Ala.," *USA TODAY* (September 23, 1991) and Howlett, 6A.

[50] Amy E. Young, "In the States — Rhode Island Issues and SOS," *Common Cause Magazine* 18:1 (January/March 1992), 29.

[51] Larry Tye, "A tide of state corruption sweeps from coast to coast," *The Boston Globe* (March 25, 1991), 1, 16.

[52] Tye, 16.

[53] Van Denton and Pat Stith, "Correction chief says Marting aide urged major firings," (Raleigh) *News and Observer* (February 22, 1992), 1A, 11A, and Associated Press, "W.Va. prison officials resign following escape," (Raleigh) *News and Observer* (February 22, 1992).

[54] "Election '91: State-by-state results from Tuesday's voting," *USA TODAY* (November 6, 1991), 4A.

[55] T.K. Wetherell, "Florida Takes the Big Money Out of Political Campaigns," *State Legislatures* 17:8 (August 1991), 44.

[56] "Rhode Island Ethics Commission is overspending its budget," *State Legislatures* 18:4 (April 1992), 11.

[57] "South Carolina's ethics law threatens scholars subsidies," *State Legislatures* 18:4 (April 1992), 11.2.

EXECUTIVE BRANCH REORGANIZATION IN THE STATES, 1965-1991

Perspectives on the Benefits and Limitations of Major Reform Initiatives

By James K. Conant

Over the past 75 years, there have been approximately 170 attempts to reorganize the executive branch of government in the states. Generally speaking, these reorganization initiatives have been advanced as a means of reducing waste, duplication, overlap and inefficiency in government. Yet, even though the pursuit of improved administration in government may seem highly desirable, these reform initiatives have been rejected or ignored by state legislatures much more often than they have been approved. While the "success" ratio has improved dramatically in the past 25 years, the outcome of such initiatives remains uncertain, as demonstrated recently in states like Oklahoma, Washington and South Carolina.

A principal reason executive branch reorganization initiatives in the states have failed is that state legislatures have ignored or rejected them. While the advocates of executive branch reorganization initiatives — such as reorganization commissions, governors and citizens groups — focus on *administrative* effectiveness, efficiency and economy, state legislators are likely to view the matter in very different terms. They are likely to see it as an issue of institutional power, or as a *political*, rather than administrative issue. In fact, fundamental political *and* administrative questions lie at the heart of efforts to reorganize the executive branch. The distribution of power between the executive and legislative branches in a state has had and will continue to have a very direct impact on administrative performance.

This essay focuses on 26 "successful" executive branch reorganization initiatives that occurred in the states between 1965 and 1991. In these initiatives, constitutional and statutory changes required to authorize the reorganization were approved by a state's legislature and voters. Consequently, the goals, process and results of these 26 initiatives provide a valuable data base for deriving some perspective on the benefits and limitations of executive branch reorganization.

History of State Executive Branch Reorganization

Attempts to overhaul the executive branch of state governments have occurred in five waves: 1914-1936, 1937-1946, 1947-1964, 1965-1979, and 1980-1991 (Garnett 1980, Conant 1988, 1992). The 26 successful reorganizations examined in this essay are part of the fourth and fifth wave. Twenty-one of the 26 fall within the fourth wave, and include Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Missouri, Montana, New Mexico, North Carolina, South Dakota, Virginia and Wisconsin (Garnett 1980, Conant 1986a). The five states included in the fifth wave are Iowa, Mississippi, Washington, West Virginia and Wyoming (Conant 1992).

It is important to note that executive branch reorganization initiatives have been proposed or are currently under consideration in a number of states, including Georgia, South Carolina and Texas. At this point, these initiatives

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cannot be formally added to the list of successful reorganizations but they do provide an important backdrop for this discussion. South Carolina is a particularly interesting case for several reasons. All seven major executive branch reorganization initiatives launched over the past 100 years have been defeated or ignored by the legislature. One consequence is that the state's governor is probably the nation's weakest in terms of formal power; another is that the state's administrative organization is highly fragmented.

Intellectual Roots of State Executive Branch Reorganization

James Garnett (1980), principal author of the wave theory of executive branch reorganization in the states, has noted that reorganization initiatives at the national level provided the impetus for the first three waves. The Taft Commission's work was a stimulus for the first wave, the Brownlow Committee's for the second, and the first Hoover Commission's for the third. Changes in national policy, rather than executive branch reorganization initiatives, have been a key stimulus for the fourth and fifth waves (Conant 1988).

The Brownlow Committee (1937) took the view that administrative effectiveness and efficiency could be improved by following a set of administrative principles. The principles, articulated by Luther Gulick and Lyndall Urwick in *Papers on the Science of Administration* (1937) were: specialization of labor; unity of command; a limited span of control; and work division (and coordination) on the basis of purpose, process, place or person (clientele). The Committee noted that even though these principles were well known, they were not being followed in the national government.

For example, the Committee argued that the executive branch of the national government had "grown up without plan or design like the barns, shacks, silos, tool sheds and garages of an old farm" (The President's Committee, P. 29). When Congress created a new program, it frequently created a new agency to administer that program. The result, the Committee noted, was a haphazard structure and a span of control far greater than any president could successfully handle. There were, as the Committee noted in its 1937 report, more than 100 executive branch agencies and departments. To remedy these problems, the Committee recommended that the executive branch organizations be consolidated into a much smaller number of functionally integrated departments.

In addition to concerns about executive branch structure or design, however, the Brownlow Committee was interested in the distribution of power between the president and the Congress. Since we have become accustomed to a national government in which the president has the capacity to be a very powerful actor in the administrative realm, it may be difficult to understand what was at stake here. At the time the Brownlow Committee was writing, however, Congress was, and had been since the early days of the American Republic, the dominant institution in both the formulation and administration of public policy.

The Committee had serious reservations about the "ability of legislatively controlled governments to get things done" (p.29). Furthermore, it maintained that the dominance of the legislative branch in administration ran contrary to the "clear intent of the Constitution" (Meriam and Schmeckebier 1939, p. 18). In the Committee's view, a strong democracy required "a responsible and effective chief executive as the center of energy, direction, and administrative management" (The President's Committee, 1937, p. 1).

The Pre-Reform Situation in the States

The rhetoric of the state executive branch reorganization initiatives in the fourth and fifth waves shows that many of the reformers accepted the view that the chief executive had to be the "center of energy, direction, and administrative management" if administrative effectiveness and efficiency were to be improved. To realize this objective, however, state reformers had to overcome a problem that was not a major hurdle at the national level. At the national level, the limitations on the chief executive's formal power were primarily established through statutory provisions and custom. At the state level, the limitations on the chief executive's power were established by explicit constitutional provisions, as well as statutes and customs.

The constitutional limits on the formal powers of the states' chief executives were the result of the colonial heritage, the Progressive movement and legislative action. The constitutional framers in the original 13 states, as well as the framers in many states that joined the union in latter years, were suspicious of executive power. Their experience with the British monarchy was the principal reason for this suspicion. The result was that "early state executives were provided very few powers" (Beyle 1983). For example, gubernatorial terms often were limited to one or two years, and in some states, governors could be limited to a single term.

In addition to these early constitutional limitations, the 19th century reform movement brought with it an increase in the number of separately elected executive branch officials such as the attorney general, secretary of state, state treasurer and superintendent of education. Furthermore, as state legislatures responded to constituent demands and public problems, they created a host of new programs, and with them a host of new agencies and departments.

In many states, executive branch agencies grew to number 100, 200 or even 300 before a reorganization occurred. During the later 1800's and throughout the 1900's, state legislatures generally established boards and commissions as the governing body or executive to oversee the programs and agencies they created, and they frequently reserved for themselves the power to appoint board and commission members. In short, the pre-reform position of most governors was that they had very little power to influence most executive branch agencies.[1]

Models of Executive Branch Reform

Given the situation described above, what George Bell (1974) has retrospectively labeled the "cabinet" model of government became the reform ideal for the states. Advanced by advocates like A.E. Buck (1938), the reform ideal consisted of six principles: (1) concentration of authority and responsibility in the hands of the chief executive; (2) departmentalization or functional integration of independent agencies; (3) elimination of boards or commissions for purely administrative work; (4) coordination of staff services; (5) independent audits; and (6) recognition of the governor's cabinet.[2] Not all state reformers used the reform ideal for framing their plan, however; some used the "traditional" model, others the "secretary/coordinator" model. In historical terms, the traditional model has been used most frequently, the cabinet model somewhat less, and the secretary/coordinator relatively infrequently (Garnett 1980, Conant 1986b).

Table A

Models and the Reform Ideal

	Cabinet	*Secretary/ coordinator*	*Traditional*
Number of Agencies	Low	Very low	Moderate
Degree of Functional Consolidation	High	High	Moderate/low
Gubernatorial Appointment of Department Heads	High	Moderate	Low
Number of Departments with Single Executive	High	High	Low/moderate
Department Executive's Control over Consolidated Department	High	Low	Low

As Table A shows, the traditional model calls for less dramatic structural and legal modifications than those prescribed in the cabinet model.[3] In the traditional, some functional consolidation (reduction in the number of agencies) and some expansion of gubernatorial appointment power are considered. However, elimination of all elected constitutional officers, boards and commissions is not considered necessary or even desirable.

There are two principal reasons why the traditional model has been employed more frequently than the cabinet model as the structural objective of state executive branch reorganization initiatives. The first is tactical. Reorganization initiators hoped or assumed that state legislators would find a change from a pre-traditional (or pre-reorganized) stage to the traditional model more palatable than a more comprehensive change. The second reason is that some, perhaps even many, of the reorganization commission members themselves were not prepared to endorse the substantial expansion of executive power called for in the cabinet model.

In short, the degree of change called for in the reorganization seems to have been a key sticking point. An historical lesson might be worth highlighting. There seems to be a logical progression or sequence with respect to executive branch reorganization in the states. While a few states have moved from a pre-traditional structure (and constitution) to a cabinet structure, the move from pre-traditional to traditional seems to have been much more common. Achievement of the traditional structure does not seem to be the end of the story, however. After this reform point is reached, momentum seems to build over time for a second stage of reform, the move to a cabinet model.

In historical terms, there has been a third option for states, the secretary/coordinator model. In this model, maximizing functional consolidation is the principal objective, with all state agencies grouped into a few super departments or agencies. Gubernatorial and secretarial control over individual agencies often is limited, however. For example, previously independent agencies may be consolidated into a super department, and the governor may gain the power to appoint the department secretary. The power to appoint the heads of the main operating units within the departments (the agencies), though, may remain outside the governor's control. Additionally, the agencies may retain control over their own budgets. In such cases, the governor's appointee (department secretary) has the difficult task of coordinating policy or administration without much formal power.

The Fourth Wave of State Executive Branch Reorganization: 1965-1979

Existing scholarship on the 21 successful state executive branch reorganizations that occurred between 1965 and 1979 includes data on the origins and goals of those initiatives, the reorganization process and the results of the reform initiatives. The data are displayed in Table B, and a brief summary of each area is presented.

Data on the *origins and goals* include the dates the reorganization was initiated and authorized, the time that elapsed from the previous reorganization (germination period), the initiator of the reorganization, the problems the reform was designed to correct, and the structural objective of the initiative. Data on the reorganization *process* include the authorization mechanisms required for approval of the reorganization plan and the level of conflict between the legislature and the chief executive. Data on the *results* include the amount of savings achieved (compared to the amount expected), the degree of agency consolidation achieved (the number of agencies before the reorganization compared to the number of departments after), and the number of department heads appointed by the governor.

Origins and Goals

In most of the 21 reorganizations included in the fourth wave, the passage of the reorganization bill and approval of the constitutional changes required to implement the reform was a bittersweet victory for reform advocates. Many of these reformers had experienced "decades of frustration" during which reorganization proposals were launched with some fanfare, and then defeated or ignored by the legislature.[4] Indeed, the average germination or development time for these 21 executive branch reorganizations was 45 years.

As shown by the rhetoric of reorganization initiatives, unplanned growth, waste, duplication, overlap and inefficiency were problems the reformers wanted to overcome. Since the fragmentation and diffusion of both agencies and executive authority were generally regarded as the cause of these problems, the cure was to streamline the structure (consolidate agencies into departments) and expand executive power.

Efforts to expand the chief executive's formal power may have included an expanded term, a larger staff or new staff agencies, and the authority to develop executive budget recommendations. The most important of the

Table B

The Fourth Wave: Executive Branch Reorganization Origins, Goals, Process and Results

State	*Reorganization date/ germination period* (a)	*Initiator*	*Problems/goals*	*Structural objective*	*Authorization mechanism*	*Gubernatorial-legislative conflict*	*Level of projected/ actual savings*	*Number of: agencies before reorganization; departments; gubernatorial appointees*
Michigan	1963-1965 40 yrs.	Governor	Weak Governor, fragmentation/Gub. control, efficiency	Traditional	Const. Amdt., Statute, Exec. Ord.	High	None/ No study	104/19/10
Wisconsin	1967 37 yrs.	Governor	Proliferation, overlap, dupl./ Responsiveness, economic, efficiency, modernization	Traditional	Statute	High	$3-17/ No study	85/30/5
California	1966-1968 5 yrs.	Governor	Overlap, dupl./ Economic, efficiency, effectiveness	Secretary, Coordinator	Statute, Const. Amdt.	Low	None/ No study	8 (b)/4 (c)/4
Colorado	1966-1968 25 yrs.	Legislature	Haphazard growth, diffusion of exec. authority/ Gubernatorial authority commensurate with responsibility, modernization	Traditional	Statute, Const. Amdt.	Low	None/ No study	143/17/9
Florida	1968-1969 83 yrs.	Governor, Legislature	Number of agencies, unplanned growth/ efficiency, effectiveness	Traditional (hybrid)	Statute, Const. Amdt.	High	None/ No study	200/23/6
Massachusetts	1969 50 yrs.	Governor	Unplanned growth, primitive admin. process/ Modernization, efficiency, responsiveness	Secretary, coordinator	Statute	High	None, additional cost/ No study	200/9/9
Delaware	1969-1970 50 yrs.	Governor	Gov't by commission/ Cabinet government	Cabinet	Statute	Moderate	None/ No study	140/10/10
Maryland	1969-1972 28 yrs.	Governor	Proliferation, fragmentation, diffusion of exec. responsibility/ Modernization, responsive & responsible gov't	Cabinet	Statute	Low	None/ No study	246/17/12
Montana	1970-1971 50 yrs.	Governor	Autonomous agencies, unplanned growth/ Responsiveness, central direction, efficiency, effectiveness	Traditional	Const. Amdt., Statute, Exec. Ord.	Low	None/ No study	188/19/9
Maine	1970-1973 11 yrs.	Governor	Proliferation, Dupl./ Effectiveness, economic, efficiency, modernization	Cabinet	Statute	Low	$6 mil./ No study	200/15 (d)/9
North Carolina	1970-1975 53 yrs.	Governor	Piecemeal growth, fragmentation/ Responsiveness, improved management, efficiency	Traditional	Statute, Const. Amdt.	Low	None/ No study	200/19/11
Arkansas	1971 53 yrs.	Governor	Admn. sprawl, primitive adm. process/ Modernization, economic, efficiency, effectiveness	Cabinet	Statute, Const. Amdt.	High	None/ No study	130/17/13
Virginia	1972 27 yrs.	Governor	Proliferation, dupl., boards & commissions/ Economic, efficiency	Secretary, coordinator	Statute	Low	$40-50/ No study	150/7/6
Georgia	1972 40 yrs.	Governor	Unplanned growth, overlap/Streamline	Traditional	Statute	Moderate	$49 million (e)/Missing data	300/22/16
South Dakota	1972-1973 48 yrs.	Governor	Piecemeal growth/ Modernization, responsiveness, economic, efficiency	Cabinet	Const. Amdt., Exec. Ord.	Low	None, Additional cost/ No study	150/22/16

The Fourth Wave: Executive Branch Reorganization Origins, Goals, Process and Results—Continued

State	*Reorganization date/ germination period* (a)	*Initiator*	*Problems/goals*	*Structural objective*	*Authorization mechanism*	*Gubernatorial-legislative conflict*	*Level of projected/ actual savings*	*Number of: agencies before reorganization; departments; gubernatorial appointees*
Kentucky	1972-1974 36 yrs.	Governor	Proliferation, hodgepodge, dupl./ economic, efficiency, responsiveness	Secretary, coordinator	Exec. Ord.	Low	None/ No study	60 (f)/8/8
Missouri	1972-1974 24 yrs.	Governor, legislature	Fragmentation, dupl. overlap/ Gubernatorial control, economic, efficiency, effectiveness	Cabinet	Statute, Const. Amdt.	High	None/ No study (g)	83 (h)/17 (i)/6
Idaho	1972-1974 50 yrs.	Governor	Haphazard growth, autonomous agencies/ Modernization, efficiency, economic	Traditional	Statute, Const. Amdt.	Low	None/ No study	260/24 (j)/9
Louisiana	1974-1977 50 yrs.	Governor, legislature	Autonomous agencies, dupl./Modernization, responsiveness, economic, efficiency	Cabinet, Traditional	Statute, New Const.	Low to moderate	$2 million/ No study	300/19/11
New Mexico	1972-1978 50 yrs.	Governor	Waste, dupl., fragmentation/ Accountability, accessibility, efficiency	Cabinet	Statute	Low	No figures but savings expected/ No study	206/18 (k)/12
Connecticut	1977-1979 50 yrs.	Governor	Dupl., overlap/ Accountability, efficiency, effectiveness	Traditional	Statute	Moderate	No figures but savings expected/ No study	26/22/18

Source: Compiled by the author from state documents and newspapers.

(a) Time since last reorganization.

(b) Eight super agencies plus five elected constitutional officers.

(c) Four super agencies plus five elected constitutional officers and five other agencies.

(d) 12 departments and three elected constitutional officers.

(e) $60 million with revenue enhancements.

(f) Eight elected department heads were grouped under gubernatorial appointed cabinet secretaries.

(g) Unofficial estimates—$7.5 million to $30 million.

(h) The 1945 reorganization established 10 departments, but they were "mere paper assemblages."

(i) There were 13 departments and four elected constitutional officers.

(j) 19 departments and five elected constitutional officers.

(k) 12 principal departments plus six elected constitutional officers.

powers, however, generally was considered to be the ability to appoint and dismiss the heads of the consolidated departments. Nevertheless, the structural objectives or model articulated by the reformers varied. The cabinet model was the objective in seven states, while the traditional model was the objective in eight. The secretary/coordinator was the model in four states, and in two others, the objective was a hybrid of the other models.

Process

One of the most interesting pieces of data in Table B is the level of executive/legislative conflict over the reorganization proposal. In 16 of the 21 states, conflict was either low or moderate. This may seen contrary to expectations, since legislative opposition to reorganization has been identified as a key factor in the high failure rate of this type of reform initiative. However, these 21 executive branch reorganization initiatives were "successful" because they gained legislative approval.

Support from legislative leaders and a majority of legislators is required to pass the statutory changes needed to proceed with the reorganization. Thus, a low to moderate level of conflict seems, almost by definition, to be an important factor in the "success" scenario. In many of these successful executive branch reorganizations, legislators — and particularly legislative leaders — played a role in the reorganization study or study commission and in the development of the reorganization plan.

Results

Data on the results of the reorganization initiatives, like those on the origins and goals and process, are shown in Table B. The data in the last column show that a substantial degree of consolidation took place in all states. Indeed, in some, the numbers of departments and agencies before reorganization exceeded 300, while the numbers of departments (and agencies) after reorganization was generally 30 or fewer. In the seven states where the traditional model was the structural objective, the governor gained the authority to appoint most cabinet heads or secretaries. In the states where the traditional model was the structural objective, the number of department heads the governor could appoint after the reorganization ranged from approximately 25 to 60 percent.

In most states, no savings were reported, at least in part because no attempt was made to examine the results of the reorganization. Even in the four states where savings were expected from the executive branch reorganization, no follow-up study was conducted.

Can savings be achieved through an executive branch reorganization? On the basis of existing studies on this topic, neither employment reductions nor net reductions in state spending are likely to result from a reorganization initiative (Meier 1983, Conant 1986). Small or incremental savings in specific functional areas, agencies or departments might occur, but those savings are likely to be spent on unfunded program costs, etc. (Conant 1986a).

In fact, a more realistic presumption about what will happen during the two- or three-year executive branch reorganization process is that state spending will go up, rather than down. The spending increase is not caused by the reorganization, however. It is the result of ongoing legislative and administrative activity. While the reorganization process is grinding along, existing laws are modified and new laws and new programs are passed. Most of these actions have fiscal consequences and push state spending up. Even cost-of-living adjustments for state employees will increase costs. In short, governmental spending is likely to go up, rather than down, during an executive branch reorganization (Conant 1986a).

The Fifth Wave of State Executive Branch Reorganization: 1980-Present

In this essay, the end of the fourth wave of executive branch reorganization is marked by the Connecticut reorganization of 1979; the beginning of the fifth wave is set in the following year. This is a new demarcation, and may be somewhat controversial. There are, however, two reasons to mark the end of the fourth wave and the beginning of the fifth in this manner.

First, there is a time gap of six years between the Connecticut reorganization of 1979 and the Iowa reorganization of 1985. Second, the rhetoric (statement of problems to be solved and objectives to be achieved) of the Connecticut and Iowa reorganizations differed in a couple of key areas. In Connecticut, like the other 20 reorganizations in the fourth wave, the principal problems were executive branch fragmentation, duplication and overlap. These problems were to be addressed through the consolidation of the executive branch agencies and the expansion of gubernatorial control over those agencies. The expected result was improved administrative effectiveness and efficiency.

Like the rhetoric of its predecessors in the fourth wave, that of the Iowa executive branch reorganization included concerns about fragmentation, duplication and overlap. There was, however, an additional problem identified in Iowa — fiscal stress. Indeed, fiscal stress appears to have been the driving force behind the reorganization. An important tipoff here is that economy (savings), rather than administrative effectiveness or efficiency, was defined as the principal objective for the reorganization.

The reorganization in Wyoming seems to parallel the Iowa case. In Wyoming, fiscal stress was identified as the principal problem the reorganization was designed to solve, and administrative economy was its principal objective. The more traditional problems and objectives were not ignored in Wyoming, but they seemed to be second tier objectives. Although the experiences of these states have not been duplicated in the last couple of years, the use of reorganization to cope with fiscal stress (or to downsize) was considered by several states in 1990 and 1991. Among those states were New Jersey and Oklahoma.

In sum, it seems that a new or fourth model of executive branch reorganization has emerged — one that is driven by fiscal stress and is focused on downsizing state government employment and spending. It also seems reasonable to think that this model of executive branch reorganization will be considered in a number of states during 1992 and 1993. Many states are facing severe fiscal stress, and any option perceived by governors or their staff as a potential tool for reducing government spending is likely to be considered. Furthermore, given the cyclical nature of the economy, it seems reasonable to assume that a new cycle of economic growth during the 1990's will be followed by another recession. The latter will again spur a search for ways to reduce state government spending, and some chief executives undoubtedly will think of reorganization as a means for downsizing.[5]

At the same time, it is important to note that three of the five states included in the fifth wave fit the more traditional approach to executive branch reorganization. The rhetoric of those three reorganizations was similar to that of the 21 states in the fourth wave. Furthermore, a brief examination of the rhetoric in the prospective sixth state in this wave, South Carolina, shows that the reorganization is not aimed at downsizing. Rather, it is aimed at improving administrative effectiveness and efficiency through improved administrative management (State Reorganization Commission 1991).

The South Carolina case is important for another reason. It highlights the circumstances and problems of states that have not had a successful executive branch reorganization initiative during this century, and have not moved from a pre-traditional structure to a traditional or cabinet structure.

In historical terms, the key circumstance has been a weak governor and a highly fragmented executive branch; the key problem has been the perceived inability of legislatively dominated states to get things done.

Executive branch authority in South Carolina is diffused across 145 agencies, boards and commissions (South Carolina Commission on Restructuring 1991). The diffusion of executive branch authority has been viewed by some as a principal cause of the recently reported scandals in South Carolina state government. In turn, the scandals have helped to highlight the fact that South Carolina government has a "horse and buggy" constitution from 1895 that "no longer provides a framework for effective and efficient government" (Edgar and Graham, *The State*, Aug. 31, 1990). Indeed, the leading newspaper in the state has described the current situation as a "power failure" that needs to be remedied (*The State*, Dec. 15, 1991 and Jan. 15, 1992).

The remedy that has been proposed by the state's current governor (Carroll A. Campbell, Jr.) and the South Carolina Commission on Government Restructuring is an executive branch reorganization. The structural objective of the reorganization is the cabinet model. The underlying objective of the proposed executive branch reorganization is to streamline the executive branch and to enhance the governor's ability to make state administration more effective and efficient.

For several reasons, the prospects for a successful outcome are higher this time than they have been at any time in the past. Among those reasons are the fact that key legislative leaders have been fully involved in the process and support the initiative. Another is that an active and highly visible public debate on the issue is in progress. It is a debate that has been generated in large part through the careful, effective and ongoing examination of the current "power failure" by the state's leading newspaper.[6]

The Benefits and Limitations of Executive Branch Reorganization

The data and analysis contained in this essay provide a basis for developing some perspectives on the benefits, limitations and even drawbacks of executive branch reorganization in the states. Among the most important benefits are the rationalizing of the executive branch machinery and the expansion of the chief executive's formal powers over the consolidated executive branch departments. These changes seem to be necessary conditions for enabling a state's chief executive to be the "center of energy, direction, and administrative management."

Executive branch reorganization initiatives also can be a spur to modernizing the executive branch machinery, improving its operations and loosening, at least temporarily, the hold that narrowly-vested interest groups, legislators and bureaucrats may have over the executive branch agencies. Those who consider the establishment of such conditions to be unimportant would be well advised to examine carefully the legacy of legislative domination in states like South Carolina.

Yet, state experience with executive branch reorganization shows that legislative and voter approval of a reorganization plan marks only the completion of the first phase, rather than the end, of a reform effort aimed at improving administrative management. The restructuring of the executive branch machinery must be carried out, and this process can be very difficult and time consuming.[7] In addition, ongoing adjustments to the reform plan will be required as economic, social, cultural and political circumstances change over time.

Furthermore, while structural consolidation and the enhancement of the governor's formal powers may be necessary conditions for improving executive branch performance, they are by no means sufficient. Some governors will have very little interest in administrative management. Consequently, they will not take advantage of the tools and opportunities that have been won through the efforts of their predecessors and other reform-minded individuals and groups. Other governors may express an interest in administrative management, but will have little aptitude for it. Thus, even if they attempt to use the tools available to them, they will do so rather clumsily. Finally, even governors who are interested in administrative management and have an aptitude for it will find that the very real limits on their time, attention, energy and resources will circumscribe the results they can achieve.[8]

In addition to these limitations, there is another factor that must be kept in mind. As history has demonstrated, not all elected state chief executive's use their powers in an honest and forthright manner. It is a lesson that underscores the importance of having other institutions and other actors in the governmental system who can limit or check their activities. That is one reason the leaders and advocates of the executive branch reorganization initiatives have generally made enhanced legislative audit power a key part of their reform proposal.

In sum, the benefits of state executive branch reorganization initiatives identified in this essay may be a source of encouragement for those who are currently considering or are engaged in such an initiative. At the same time, the limitations and drawbacks of these initiatives may also be a spur for those who have or are currently resisting — or plan to resist — such initiatives. As Rufus Miles (1978) has so aptly pointed out, where one "stands" on an issue (like this one) is likely to be determined by where one "sits."

Notes

[1] In addition to the formal limitations described here, most of the states' chief executive had little power in the budgetary process. Consequently, budget reform proposals aimed at giving the chief executive a key role in the process were sometimes part of the reorganization proposal.

[2] This reform ideal or model clearly was built upon the work of Gulick and Urwick and the Brownlow Committee.

[3] For more discussion about legislative reaction to reorganization see Richard Elling, "State Bureaucracies": Gray, Jacob and Vines, 4th ed., *Politics in the American States* (Boston: Little, Brown, 1983), and James K. Conant, "State Reorganization: A New Model?" *State Government*, vol. 58, no. 4 (Spring 1986).

[4] This phrase, which seemed so appropriate to the subject matter, was actually the title of a Wisconsin publication. The publication was cited by Gov. Warren Knowles in his "Special Message to the Legislature on Reorganization" (April 5, 1967).

[5] For a more complete discussion of this topic, see Conant, 1992, "Executive Branch Reorganization in the States: Can It Be An Antidote For Fiscal Stress in the States?"

[6] The press coverage given a number of the 20 successful executive branch reorganization initiatives in the fourth wave was quite good. The coverage this newspaper has given the issue in South Carolina, however, is much more comprehensive than the coverage provided in any other state.

[7] The degree of difficulty here is very high. As James Garnett has pointed out in several of his published works, the process of implementing the reorganization plan may not get started at all, or,

even if it gets started, may be only partially completed.

[8] For a more detailed examination of the relationship between these constraints and the types of strategic choices available to governors who want to improve the effectiveness and efficiency of their state's administrative agencies, see James K. Conant, "Gubernatorial Strategy and Style: Keys to Improving Executive Branch Management."

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Table 2.9
CONSTITUTIONAL AND STATUTORY PROVISIONS FOR LENGTH AND NUMBER OF TERMS OF ELECTED STATE OFFICIALS

State or other jurisdiction	Governor	Lt. governor	Secretary of state	Attorney general	Treasurer	Auditor	Comptroller	Education	Agriculture	Labor	Insurance	Other
Alabama	4/2	4/2	4/2	4/2	4/2	4/2	. . .	. . .	4/2 (a)	. . .	. . .	Bd. of Education—4/-; Public Service Comm.—4/-
Alaska	4/2 (b)	4/-	(c)	. . .	(d)	. . .	. . .	. . .	. . .	. . .	. . .	
Arizona	4/-	(e)	4/-	4/-	4/2	. . .	(f)	4/-	. . .	. . .	. . .	Corporation Comm.—6/-; Mine inspector—2/-
Arkansas	4/-	4/-	4/-	4/-	4/-	4/-	(f)	. . .	. . .	. . .	. . .	Land Cmsr.—4/-
California	4/2	4/2	4/2	4/2	4/2	. . .	4/2	4/2	. . .	. . .	4/-	Bd. of Equalization—4/-
Colorado	4/2	4/2	4/2	4/2	4/2	. . .	. . .	. . .	. . .	. . .	. . .	Regents of Univ. of Colo.—6/-; Bd. of Education—6/-
Connecticut	4/-	4/-	4/-	4/-	4/-	. . .	4/-	. . .	. . .	. . .	. . .	
Delaware	4/2 (g)	4/-	. . .	4/-	4/-	4/-	. . .	. . .	. . .	. . .	4/-	
Florida	4/2	4/-	4/-	4/-	4/-	. . .	4/-	4/-	4/-	. . .	(h)	
Georgia	4/2 (b)	4/-	4/-	4/-	(f)	. . .	(i)	4/-	4/-	4/-	4/-	Public Service Comm.—6/-
Hawaii	4/2	4/2	(c)	. . .	(f)	. . .	. . .	. . .	. . .	. . .	. . .	Bd. of Education—4/U
Idaho	4/-	4/-	4/-	4/-	4/-	4/-	(j)	4/-	. . .	. . .	. . .	
Illinois	4/-	4/-	4/-	4/-	4/-	. . .	4/-	. . .	. . .	. . .	. . .	Bd. of Trustees, Univ. of Ill.—6/-
Indiana	4/2 (k)	4/-	4/2 (k)	4/-	4/2 (k)	4/2 (k)	(j)	4/-	(c)	. . .	. . .	
Iowa	4/-	4/-	4/-	4/-	4/-	4/-	(f)	. . .	4/-	. . .	. . .	
Kansas	4/2	4/2	4/-	4/-	4/-	. . .	. . .	. . .	. . .	. . .	4/-	Bd. of Education—4/-
Kentucky	4/0	4/0	4/0	4/0	4/0	4/0	(f)	4/0	4/0	. . .	. . .	Railroad Comm.—4/-
Louisiana	4/2	4/-	4/-	4/-	4/-	. . .	(l)	. . .	4/-	. . .	4/-	Bd. of Education—4/-; Public Service Comm.—6/-; Elections Cmsr.—4/-
Maine	4/2	(m)	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	
Maryland	4/2 (b)	4/-	. . .	4/-	. . .	. . .	4/-	. . .	. . .	. . .	. . .	
Massachusetts	4/-	4/-	4/-	4/-	4/-	4/-	. . .	. . .	. . .	. . .	. . .	Exec. Council—2/-
Michigan	4/-	4/-	4/-	4/-	. . .	. . .	(f)	. . .	. . .	. . .	. . .	Univ. Regents—8/-; Bd. of Education—8/-
Minnesota	4/-	4/-	4/-	4/-	4/-	4/-	(f)	. . .	. . .	. . .	(n)	
Mississippi	4/0	4/-	4/-	4/-	4/-	4/-	(f)	. . .	4/-		4/-	Public Service Comm.—4/-; Highway Comm.—4/-
Missouri	4/2 (g)	4/-	4/-	4/-	4/2 (g)	4/-	. . .	. . .	. . .	. . .	. . .	
Montana	4/-	4/-	4/-	4/-	. . .	4/-	(l) .	4/-	. . .	. . .	. . .	Public Service Comm.—4/-
Nebraska	4/2 (b)	4/-	4/-	4/-	4/2 (o)	4/-	. . .	. . .	. . .	. . .	. . .	Regents of Univ. of Neb.—6/-; Bd. of Education—4/-; Public Service Comm.—6/-
Nevada	4/2	4/-	4/-	4/-	4/-	. . .	4/-	. . .	. . .	. . .	. . .	Bd. of Regents—6/-; Bd. of Education—4/3
New Hampshire	2/-	(m)	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	Exec. Council—2/-
New Jersey	4/2 (b)	(m)	. . .	. . .	. . .	. . .	(f)	. . .	. . .	. . .	. . .	
New Mexico	4/2 (b)	4/2 (b)	4/2 (b)	4/2 (b)	4/2 (b)	4/2 (b)	(p)	. . .	. . .	. . .	. . .	Cmsr. of Public Lands—4/2 (b); Bd. of Education—4/-; Corporation Comm.—6/-
New York	4/-	4/-	. . .	4/-	. . .	(d)	4/-	. . .	. . .	. . .	. . .	
North Carolina	4/2 (g)	4/2 (g)	4/-	4/-	4/-	4/-	. . .	4/-	4/-	4/-	4/-	
North Dakota	4/-	4/-	4/-	4/-	4/2	4/-	. . .	4/-	4/- (q)	4/- (q)	4/-	Public Service Comm.—6/-; Tax Cmsr.—4/-
Ohio	4/2	4/2	4/-	4/-	4/-	4/-	(p)	. . .	. . .	. . .	. . .	Bd. of Education—6/-
Oklahoma	4/2	4/U	. . .	4/U	4/U	4/U	. . .	4/U	. . .	4/-	4/-	Corporation Comm.—6/-
Oregon	4/2 (k)	(e)	4/2 (k)	4/-	4/2 (k)	. . .	(p)	4/-	. . .	4/-	. . .	
Pennsylvania	4/2	4/2	. . .	4/2	4/2 (r)	4/2	. . .	. . .	. . .	. . .	. . .	
Rhode Island	2/-	2/-	2/-	2/-	2/-	. . .	. . .	. . .	. . .	. . .	. . .	
South Carolina	4/2	4/-	4/-	4/-	4/-	. . .	4/-	4/-	4/-	. . .	. . .	Adjutant General—4/-

LENGTH AND NUMBER OF TERMS—Continued

State or other jurisdiction	*Governor*	*Lt. governor*	*Secretary of state*	*Attorney general*	*Treasurer*	*Auditor*	*Comptroller*	*Education*	*Agriculture*	*Labor*	*Insurance*	*Other*
South Dakota	4/2	4/2	4/-	4/-	4/-	4/-	(j)	. . .	. . .	. . .	. . .	Cmsr. of School & Public Lands—4/-; Public Utilities Comm.—6/-
Tennessee	4/2	(m)	. . .	. . .	. . .	(d)	. . .	. . .	. . .	. . .	. . .	Public Service Comm.—6/-
Texas	4/-	4/-	. . .	4/-	4/-	. . .	4/-	. . .	4/-	(s)	. . .	Bd. of Education—4/-; Cmsr. of General Land Off.—4/-; Railroad Comm.—6/-
Utah	4/-	4/-	(c)	4/-	4/-	4/-	(f)	. . .	. . .	. . .	. . .	Bd. of Education—4/-
Vermont	2/-	2/-	2/-	2/-	2/-	2/-	(f)	. . .	. . .	. . .	. . .	
Virginia	4/0	4/U	. . .	4/U	. . .	. . .	. . .	. . .	. . .	. . .	. . .	
Washington	4/-	4/-	4/-	4/-	4/-	4/-	(p)	4/-	. . .	. . .	4/-	Cmsr. of Public Lands—4/-
West Virginia	4/2	(m)	4/-	4/-	4/-	4/-	(j)	. . .	4/-	. . .	. . .	
Wisconsin	4/-	4/-	4/-	4/-	4/-	. . .	(f)	4/-	. . .	. . .	. . .	
Wyoming	4/-	(e)	4/-	. . .	4/-	4/-	(j)	4/-	. . .	. . .	. . .	
Dist. of Columbia	4/- (t)		. . .	. . .	. . .	. . .	. . .	. . .		. . .	. . .	Chmn. of Council of Dist. of Col.—4/U
American Samoa	4/2	4/2	(c)	. . .	. . .	. . .	(p)	. . .	. . .		. . .	
Guam	4/2 (b)	4/2	(c)	. . .	. . .	. . .	(u)	. . .	. . .	. . .	(v)	
No. Mariana Islands	4/3	4/2		. . .	. . .	. . .	(p)	. . .	(w)	. . .	(n)	
Puerto Rico	4/-	(e)	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	
U.S. Virgin Islands	4/2 (b)	4/2	(c)	. . .	(f)	. . .	(f)	. . .	. . .	. . .	(c)	

Note: First entry in a column refers to number of years per term. Entry following the slash refers to the maximum number of consecutive terms allowed. Blank cells indicate no specific administrative official performs function. This table reflects a literal reading of the state constitutions and statutes.

Key:

- — No provision specifying number of terms allowed

0 — Provision specifying officeholder may not succeed self

U — Provision specifying individual may hold office for an unlimited number of terms

. . . — Position is appointed or elected by governmental entity (not chosen by electorate)

(a) Commissioner of agriculture and industries.

(b) After two consecutive terms, must wait four years before being eligible again.

(c) Lieutenant governor performs function.

(d) Comptroller performs function.

(e) Secretary of state is next in line of succession to the governorship.

(f) Finance administrator performs function.

(g) Absolute two-term limitation, but not necessarily consecutive.

(h) State treasurer also serves as insurance commissioner.

(i) Insurance commissioner also serves as comptroller general.

(j) State auditor performs function.

(k) Eligible for eight out of 12 years.

(l) Head of administration performs function.

(m) President or speaker of the senate is next in line of succession to the governorship. In Tennessee, speaker of the senate has the statutory title "lieutenant governor."

(n) Commerce administrator performs function.

(o) After two consecutive terms, must wait two years before being eligible again.

(p) State treasurer performs function.

(q) Constitution provides for a secretary of agriculture and labor. However, the legislature was given constitutional authority to provide for (and has provided for) a department of labor distinct from agriculture, and a commissioner of labor distinct from the commissioner of agriculture.

(r) Treasurer must wait four years before being eligible to the office of auditor general.

(s) Licensing and regulation administrator perfroms function.

(t) Mayor.

(u) General services administrator performs function.

(v) Taxation administrator performs function.

(w) Natural resources administrator performs function.

Table 2.10
SELECTED STATE ADMINISTRATIVE OFFICIALS: METHODS OF SELECTION

State or other jurisdiction	*Governor*	*Lieutenant governor*	*Secretary of state*	*Attorney general*	*Treasurer*	*Adjutant general*	*Administration*	*Agriculture*	*Banking*	*Budget*
Alabama	CE	CE	CE	CE	CE	G	(a-17)	CE	GS	A
Alaska	CE	CE	(a-1)	GB	(a-9)	GB	GB	A	A	(b)
Arizona	CE	(a-2)	CE	CE	CE	G	GS	GS	GS	(a-26)
Arkansas	CE	CE	CE	CE	CE	GS	(a-16)	B	BG	CS
California	CE	CE	CE	CE	CE	GS	(c)	GS	GS	(a-16)
Colorado	CE	CE	CE	CE	CE	GS	GS	GS	CS	G
Connecticut	CE	CE	CE	CE	CE	GE	GE	GE	GE	CS
Delaware	CE	CE	GS	CE	CE	GS	GS	GS	G	GS
Florida	CE	CE	CE	CE	CE	G	G	CE	(a-9)	G
Georgia	CE	CE	CE	CE	(a-16)	GS	G	CE	G	G
Hawaii	CE	CE	(a-1)	GS	(a-6)	GS	(a-9)	G	AG	GS
Idaho	CE	CE	CE	CE	CE	G	G	G	G	(a-16)
Illinois	CE	CE	CE	CE	CE	GS	GS	GS	GS	GS
Indiana	CE	CE	CE	SE	CE	G	G	A	G	G
Iowa	CE	CE	CE	CE	CE	G	(a-17)	SE	G	GS
Kansas	CE	CE	CE	CE	SE	GS	GS	B	GS	G
Kentucky	CE	CE	CE	CE	CE	G	AG	CE	AG	G
Louisiana	CE	CE	CE	CE	CE	G	G	CE	GS	CS
Maine	CE	(p)	CL	CL	CL	G	GLS	GLS	A	A
Maryland	CE	CE	GS	CE	CL	G	(a-25)	GS	AG	GS
Massachusetts	CE	CE	CE	CE	CE	G	G	G	G	G
Michigan	CE	CE	CE	CE	GS	GS	GS	B	CS	GS
Minnesota	CE	CE	CE	CE	CE	G	GS	GS	A	(a-16)
Mississippi	CE	CE	CE	CE	CE	GS	A	SE	B	(a-16)
Missouri	CE	CE	CE	CE	CE	GS	GS	GS	AS	(a-5)
Montana	CE	CE	SE	SE	CS	G	G	G	CS	G
Nebraska	CE	CE	CE	CE	CE	GS	GS	GS	GS	GS
Nevada	CE	CE	CE	CE	CE	G	G	BG	AG	(a-5)
New Hampshire	CE	(p)	CL	GC	CL	GC	GC	GC	GC	(ii)
New Jersey	CE	(p)	GS	GS	GS	GS	AG	BG	GS	GS
New Mexico	CE	CE	CE	CE	CE	GS	(a-17)	GS	AG	AG
New York	CE	CE	GS	CE	(nn)	G	(a-17)	GS	GS	G
North Carolina	CE	CE	SE	SE	SE	G	G	SE	G	G
North Dakota	CE	CE	CE	CE	CE	G	(a-25)	CE	G	(pp)
Ohio	CE	CE	CE	CE	CE	GS	GS	GS	AG	GS
Oklahoma	CE	CE	GS	CE	CE	GS	G	GS	GS	(a-16)
Oregon	CE	(a-2)	CE	SE	CE	G	GS	GS	(uu)	AG
Pennsylvania	CE	CE	GS	CE	CE	GS	G	GS	GS	G
Rhode Island	CE	CE	CE	CE	CE	G	G	A	A	A
South Carolina	CE	CE	CE	CE	CE	CE	(a-16)	CE	(a-4)	B
South Dakota	CE	CE	CE	CE	CE	GB	GB	GB	A	(a-16)
Tennessee	CE	(p)	CL	CT	CL	G	(a-17)	G	G	A
Texas	CE	CE	GS	CE	CE	GS	(a-17)	SE	BS	A
Utah	CE	CE	(a-1)	CE	CE	GS	GS	GS	GS	(ccc)
Vermont	CE	CE	CE	SE	CE	SL	GS	GS	GS	(a-16)
Virginia	CE	CE	GB	CE	GB	GB	GB	GB	B	GB
Washington	CE	CE	CE	CE	CE	GS	(a-17)	GS	A	(a-16)
West Virginia	CE	(p)	CE	CE	CE	GS	GS	CE	GS	CS
Wisconsin	CE	CE	CE	CE	CE	G	GS	B	GS	A
Wyoming	CE	(a-2)	CE	G	CE	G	GS	G	A	A
Dist. of Columbia	SE (ttt)	. . .	GC	GC	GC	N.A.	GC	. . .	GC	GC
American Samoa	CE	CE	(a-1)	GB	N.A.	. . .	GB	CB	N.A.	CB
Puerto Rico	CE	(a-2)	GS	GS	GS	G	(a-25)	GS	GS	G
U.S. Virgin Islands	CE	CE	(a-1)	GS	(a-16)	(zzz)	(a-30)	(a-12)	(a-1)	GS

Source: The Council of State Governments' survey of state personnel agencies, January 1992.

Note: The chief administrative officials responsible for each function were determined from information given by the states for the same function as listed in *State Administrative Officials Classified by Function, 1991-92*, published by The Council of State Governments.

Key:

N.A. — Not available

. . . — No specific chief administrative official or agency in charge of function

CE — Constitutional, elected by public
CL — Constitutional, elected by legislature
SE — Statutory, elected by public
SL — Statutory, elected by legislature
L — Selected by legislature or one of its organs
CT — Constitutional, elected by state court of last resort

Appointed by:	*Approved by:*
G — Governor	
GS — Governor	Senate
GB — Governor	Both houses
GE — Governor	Either house
GC — Governor	Council
GD — Governor	Departmental board
GLS — Governor	Appropriate legislative committee & Senate
GOC — Governor & Council or cabinet	
AT — Attorney General	
SS — Secretary of State	
A — Agency head	
AB — Agency head	Board
AG — Agency head	Governor
AGC — Agency head	Governor & Council
AS — Agency head	Senate
AGS — Agency head	Governor & Senate
ASH — Agency head	Senate president & House speaker
B — Board or commission	
BG — Board	Governor
BGS — Board	Governor & Senate
BS — Board or commission	Senate
BA — Board or commission	Agency head
CS — Civil Service	

SELECTED OFFICIALS: METHODS OF SELECTION—Continued

State or other jurisdiction	*Civil rights*	*Commerce*	*Community affairs*	*Comptroller*	*Consumer affairs*	*Corrections*	*Economic development*	*Education*	*Election administration*	*Emergency management*
Alabama	. . .	G	G	A	A	G	(a-8)	B	A	G
Alaska	A	GB	GB	A	A	GB	A	GB	A	A
Arizona	A	GS	A	(a-16)	A	GS	(a-7)	CE	(a-2)	A
Arkansas	. . .	(a-12)	(a-32)	(a-16)	(a-3)	B	G	G	(a-2)	G
California	GS	GS	G	CE	GS	GS	(a-7)	CE	A	GS
Colorado	CS	. . .	CS	CS	AT	GS	G	B	CS	CS
Connecticut	B	(a-12)	A	CE	CS	GE	GE	B	CS	A
Delaware	G	(a-2)	. . .	AG	AG	GS	GS	B	GS	AG
Florida	A	G	G	CE	A	G	A	CE	SS	A
Georgia	G	G	G	(a-19)	G	G	(a-7)	CE	A	G
Hawaii	B	GS	GS	GS	G	GS	GS	B	(a-1)	GS
Idaho	B	G	A	(a-28)	(a-3)	B	A	CE	SS	A
Illinois	GS	GS	(a-7)	CE	(a-3)	GS	(a-7)	B	AB	GS
Indiana	G	(a-1)	A	(a-28)	A	G	A	CE	G	G
Iowa	GS	GS	A	(a-6)	A	GS	GS	GS	(a-2)	G
Kansas	B	GS	A	A	AT	GS	(k)	B	SS	A
Kentucky	AG	(a-1)	AG	(a-16)	(a-3)	G	(a-1)	G	G	AG
Louisiana	(a-3)	(a-12)	N.A.	(a-5)	. . .	GS	GS	B	CE	GS
Maine	G	(a-12)	GLS	A	A	GLS	GLS	GLS	A	A
Maryland	(s)	AG	A	CE	A	AGS	A	B	G	AG
Massachusetts	G	(a-12)	G	G	G	G	G	G	SS	G
Michigan	B	GS	CS	CS	CS	B	CS	B	(a-2)	CS
Minnesota	GS	GS	A	(a-16)	AT	GS	A	GS	(y)	A
Mississippi	. . .	GS	A	(a-16)	. . .	GS	(a-7)	B	A	G
Missouri	B	(a-12)	A	A	(a-3)	GS	GS	B	SS	A
Montana	CS	G	G	(a-5)	CS	G	CS	SE	SS	CS
Nebraska	B	(a-12)	N.A.	A	AT	GS	GS	(ee)	(a-2)	A
Nevada	G	G	G	CE	AG	G	G	B	CE	G
New Hampshire	CS	GC	G	AGC	(a-3)	GC	AGC	B	(a-2)	GC
New Jersey	AT	GS	GS	(a-6)	GS	GS	AG	GS	(jj)	A
New Mexico	AG	(a-12)	AG	(a-4)	AT	GS	GS	B	SS	GS
New York	G	(a-12)	(a-2)	CE	G	GS	GS	B	B	A
North Carolina	AG	G	AG	GG	A	G	AG	SE	G	AG
North Dakota	(a-20)	(a-12)	A	G	A	A	G	CE	(qq)	A
Ohio	B	GS	AG	(a-4)	AG	GS	GS	GS	AG	AG
Oklahoma	B	G	(a-7)	AG	B	B	(a-7)	CE	L	G
Oregon	A	(a-19)	B	(a-4)	. . .	GS	GS	SE	A	AG
Pennsylvania	G	GS	GS	G	A	GS	(a-7)	GS	G	G
Rhode Island	G	(a-12)	G	A	G	G	G	AB	G	G
South Carolina	B	BG	A	CE	B	B	(a-7)	CE	B	A
South Dakota	A	GB	(a-12)	CE	AT	GB	GB	(aaa)	SS	A
Tennessee	B	(a-8)	G	CL	A	G	(a-10)	G	SS	G
Texas	B	B	GS	CE	(a-3)	B	. . .	BGS	A	A
Utah	AG	GS	(ddd)	(a-16)	AG	GS	AG	BG	(a-1)	AG
Vermont	(ggg)	(a-12)	AGS	(a-16)	AT	AGS	AGS	GD	(hhh)	AG
Virginia	GB	GB	A	GB	A	GB	GB	GB	GB	GB
Washington	G	(a-12)	GS	(a-4)	A	GS	GS	CE	A	A
West Virginia	GS	(nnn)	GS	CE	AT	GS	(a-10)	B	(a-2)	G
Wisconsin	A	GS	A	CS	(ooo)	GS	CS	CE	B	GS
Wyoming	(qqq)	GS	(a-12)	CE	A	GS	A	CE	(rrr)	AG
Dist. of Columbia	GC	(a-12)	G	G	(uuu)	GC	GC	GC	B	GC
American Samoa	. . .	N.A.	N.A.	N.A.	AT	N.A.	GB	GB	GB	G
Puerto Rico	B	GS	GS	GB	GS	GS	BG	GS	B	G
U.S. Virgin Islands	AG	(a-12)	(a-32)	(a-16)	GS	(a-3)	GS	GS	B	G

(a) Chief administrative official or agency in charge of function:
(a-1) Lieutenant governor
(a-2) Secretary of state
(a-3) Attorney general
(a-4) Treasurer
(a-5) Administration
(a-6) Budget
(a-7) Commerce
(a-8) Community affairs
(a-9) Comptroller
(a-10) Consumer affairs
(a-11) Corrections
(a-12) Economic development
(a-13) Education (chief state school officer)
(a-14) Energy
(a-15) Environmental protection
(a-16) Finance
(a-17) General services
(a-18) Highways
(a-19) Insurance
(a-20) Labor
(a-21) Licensing
(a-22) Mental health and retardation
(a-23) Natural resources
(a-24) Parks and recreation
(a-25) Personnel
(a-26) Planning
(a-27) Post audit
(a-28) Pre-audit
(a-29) Public utility regulation
(a-30) Purchasing
(a-31) Revenue
(a-32) Social services
(a-33) Tourism
(a-34) Transportation
(a-35) Welfare

(b) Responsibilities shared between Director, Office of Management and Budget (A); and Director, Division of Budget Review, same department (A).

(c) Responsibilities shared between Director, Department of General Services (GS); and Chief Deputy Director, same department (G).

(d) Responsibilities shared between Commissioner, Department of Mental Retardation (GE); and Commissioner, Department of Mental Health (A).

(e) Responsibilities shared between two Auditors of Public Accounts (L).

(f) Responsibilities shared between Director, Division of Alcoholism, Drug Abuse and Mental Health (AG); and Director, Division of Mental Retardation (GS).

SELECTED OFFICIALS: METHODS OF SELECTION—Continued

State or other jurisdiction	*Employment services*	*Energy*	*Environmental protection*	*Finance*	*Fish & wildlife*	*General services*	*Health*	*Higher education*	*Highways*	*Historic preservation*
Alabama	A	AG	B	G	A	A	B	BS	G	B
Alaska	A	. . .	GB	A	GB	A	(a-35)	GB	. . .	G
Arizona	A	CS	GS	A	B	A	GS	B	A	A
Arkansas	G	BG	BG	G	B	(a-16)	G	G	B	AG
California	GS	GS	GS	GS	GS	GS	GS	B	A	G
Colorado	GS	GS	CS	(a-9)	CS	. . .	GS	B	(a-34)	N.A.
Connecticut	A	A	GE	GE	CS	(a-5)	GE	B	A	BG
Delaware	(a-25)	A	GS	GS	AG	(a-5)	AG	B	AG	AG
Florida	A	A	G	A	A	(h)	A	B	G	SS
Georgia	A	A	A	A	A	(a-5)	A	B	(a-34)	A
Hawaii	CS	CS	GS	(a-6)	CS	(a-9)	GS	B	CS	(a-23)
Idaho	G	A	A	G	B	A	G	B	(a-34)	B
Illinois	GS	GS	GS	(j)	(a-23)	GS	GS	B	(a-34)	GS
Indiana	G	A	G	(a-6)	A	(a-5)	G	B	(a-34)	A
Iowa	GS	A	A	(a-6)	A	GS	GS	B	A	A
Kansas	GS	A	A	(l)	A	(a-5)	A	B	(a-34)	A
Kentucky	AG	G	AG	G	(n)	(a-5)	AG	G	AG	N.A.
Louisiana	GS	GS	GS	(a-5)	GS	(a-5)	GS	B	(a-34)	GS
Maine	A	A	GLS	GLS	GLS	A	GLS	GLS	(a-34)	B
Maryland	. . .	A	GS	CE	A	GS	GS	G	A	A
Massachusetts	(t)	G	G	(a-5)	G	(a-5)	G	G	G	SS
Michigan	CS	. . .	CS	(a-6)	(w)	CS	GS	CS	(a-34)	CS
Minnesota	A	A	A	GS	A	(a-5)	GS	AB	A	AB
Mississippi	B	A	B	GS	B	(a-5)	B	B	B	B
Missouri	A	A	A	(bb)	A	A	GS	B	B	A
Montana	CS	CS	G	(a-6)	(cc)	CS	CS	B	G	. . .
Nebraska	A	G	GS	(ff)	(gg)	(a-5)	GS	B	(a-34)	B
Nevada	G	(a-8)	A	(a-9)	G	G	G	B	(a-34)	A
New Hampshire	GC	G	GC	(a-5)	GC	(a-5)	AGC	B	(a-34)	GC
New Jersey	CS	GS	GS	(a-6)	BG	AG	GS	BG	(a-34)	AG
New Mexico	GS	AG	GS	GS	B	GS	GS	B	GS	AG
New York	(a-20)	GS	GS	(a-9)	(a-15)	GS	GS	(a-13)	(a-34)	(a-24)
North Carolina	G	AG	AG	(a-6)	BG	AG	AG	B	AG	AG
North Dakota	G	G	A	(a-6)	G	G	G	B	(a-34)	A
Ohio	GS	AG	GS	(a-6)	AG	(a-5)	GS	GS	(a-34)	B
Oklahoma	(tt)	B	AG	G	AB	(a-5)	B	B	B	B
Oregon	AG	GS	B	(a-6)	B	GS	AG	B	AB	N.A.
Pennsylvania	G	G	G	(a-6)	(vv)	GS	GS	G	G	G
Rhode Island	G	(a-29)	G	(a-6)	A	(a-5)	G	AB	(a-34)	G
South Carolina	B	N.A.	A	B	B	B	B	B	B	A
South Dakota	A	GB	GB	GB	A	(a-5)	GB	B	A	A
Tennessee	G	A	A	G	B	G	G	B	(a-34)	B
Texas	B	A	A	(a-9)	B	B	B	B	B	B
Utah	BG	AG	GS	AG	AG	(a-5)	GS	BG	(a-34)	AG
Vermont	GS	GS	AGS	AGS	AGS	(iii)	AGS	(a-5)	(a-34)	GS
Virginia	GB	GB	GB	GB	GB	GB	GB	GB	(a-34)	GB
Washington	A	GS	GS	GS	(lll)	GS	GS	B	(a-34)	A
West Virginia	GS	GS	GS	(a-5)	CS	CS	CS	B	(a-34)	CS
Wisconsin	A	A	A	A	(ppp)	A	A	B	A	CS
Wyoming	A	. . .	G	(a-27)	GS	(a-5)	GS	B	(a-34)	A
Dist. of Columbia	GC	GC	A	GC	A	GC	GC	(vvv)	A	A
American Samoa	. . .	GB	G	N.A.	GB	GB	GB	GB	GB	A
Puerto Rico	A	A	B	(a-6)	(a-23)	B	GS	B	B	G
U.S. Virgin Islands	(a-20)	G	(a-23)	GS	AG	(a-30)	GS	SE	AG	AG

(g) Responsibilities shared between Secretary, Services for Children, Youth and Their Families (GS); and Secretary, Department of Health and Social Services (GS).

(h) Responsibilities shared between Executive Director, Department of General Services (GOC); and Deputy Executive Director, same department (GOC).

(i) Responsibilities shared between Chief, Developmental Disabilities Division, Department of Health (CS); and Acting Chief, Adult Mental Health Division, same department (CS).

(j) Responsibilities shared between Director, Bureau of the Budget (GS); and Director, Department of Revenue (GS).

(k) Responsibilities shared between Secretary, Department of Commerce (GS); Director, Division of Existing Industry, same department (A); Director, Division of Industrial Development, same department (A); and President, Kansas Inc. (B).

(l) Responsibilities shared between Secretary, Department of Administration (GS); and Director, Division of the Budget, same department (G).

(m) Responsibilities shared between Acting Executive Director, State Board of Healing Arts (BS); Executive Director, Behavioral Sciences Regulatory Board (B); Executive Secretary, Board of Technical Professions (B); and Director, Real Estate Commission (B).

(n) Responsibilities shared between Director, Fisheries Division, Fish and Wildlife Research Department (AG); and Director, Wildlife Division, same department (AG).

(o) Responsibilities shared between Commissioner, Division of Administration (G); and Legislative Auditor (G).

(p) In Maine, New Hampshire, New Jersey, Tennessee and West Virginia, the presidents (or speakers) of the Senate are next in line of succession to the governorship. In Tennessee, the speaker of the Senate bears the statutory title of lieutenant governor.

(q) Competitive examination.

(r) Responsibilities shared between Commissioner, Department of Environmental Protection (GLS); and Commissioner, Department of Conservation (G).

(s) Appointed by the Governor from a list of five names submitted by the commissioners. The position is subject to removal by the Governor upon the recommendation of 2/3 of the commissioners.

(t) Responsibilities shared between Director, Bureau of Human Resource Development (A); and Commissioner, Department of Employment and Training (G).

(u) Responsibilities shared between Commissioner, Department of Mental Health (G); and Commissioner, Department of Mental Retardation (G).

(v) Responsibilities shared between Director, Recreational Facilities (A); and Acting Director, Division of Forests and Parks (A).

(w) Responsibilities shared between Chief, Wildlife Division, Department of Natural Resources (CS); and Chief, Fisheries Division, same department (CS).

SELECTED OFFICIALS: METHODS OF SELECTION—Continued

State or other jurisdiction	Information systems	Insurance	Labor	Licensing	Mental health & retardation	Natural resources	Parks & recreation	Personnel	Planning	Post audit
Alabama	A	G	G	. . .	G	G	A	B	AG	L
Alaska	A	A	GB	A	A	GB	A	A	. . .	L
Arizona	A	GS	B	GS	A	CS	B	A	A	L
Arkansas	G	BG	G	. . .	BA	G	G	A	. . .	CE
California	G	SE	GS	(a-10)	GS	GS	GS	GS	G	A
Colorado	CS	GS	CS	GS	CS	GS	CS	GS	(a-6)	L
Connecticut	A	GE	GE	CS	(d)	CS	CS	A	A	(e)
Delaware	A	CE	GS	AG	(f)	(a-15)	AG	GS	. . .	CE
Florida	A	(a-4)	GOC	SS	A	GOC	A	(a-5)	(a-6)	GOC
Georgia	A	CE	CE	A	A	G	A	G	(a-6)	G
Hawaii	CS	AG	GS	(a-7)	(i)	G	CS	GS	G	CS
Idaho	(a-5)	G	G	G	A	. . .	B	B	(a-7)	L
Illinois	(a-17)	GS	GS	GS	GS	GS	(a-23)	(a-17)	B	L
Indiana	A	G	G	G	G	G	A	G	A	A
Iowa	A	GS	GS	GS	A	GS	A	GS	(a-12)	CE
Kansas	A	SE	A	(m)	A	(a-24)	GS	A	A	B
Kentucky	(a-16)	AG	G	AG	AG	AG	AG	G	G	CE
Louisiana	CS	CE	GS	CS	GS	GS	GS	CS	CS	(o)
Maine	A	A	GLS	(q)	GLS	(r)	A	A	G	SL
Maryland	. . .	AGS	AG	GS	A	GS	A	GS	G	ASH
Massachusetts	G	G	G	G	(u)	G	(v)	G	G	CE
Michigan	CS	GS	GS	CS	GS	B	CS	B	. . .	CL
Minnesota	A	(a-7)	GS	(z)	A	GS	A	GS	GS	(aa)
Mississippi	B	SE	. . .	. . .	B	(a-15)	A	B	A	CE
Missouri	A	AS	GS	A	B	GS	A	G	(a-5)	CE
Montana	CS	CS	G	CS	(dd)	G	CS	CS	(a-6)	L
Nebraska	A	GS	GS	A	(hh)	GS	B	GS	G	CE
Nevada	A	AG	G	. . .	G	G	A	G	A	AB
New Hampshire	. . .	GC	GC	(a-2)	AGC	(a-7)	AGC	AGC	G	L
New Jersey	N.A.	GS	GS	AG	AG	AG	AG	GS	(kk)	A
New Mexico	AG	B	AG	(ll)	(mm)	GS	AG	BG	. . .	CE
New York	(a-17)	GS	GS	(a-2)	(oo)	(a-15)	GS	GS	(a-12)	(a-9)
North Carolina	AG	SE	SE	. . .	AG	G	AG	G	AG	SE
North Dakota	A	CE	SE	(a-2)	A	A	G	AB	A	(rr)
Ohio	AG	GS	GS	AG	(ss)	GS	AG	AG	(a-6)	CE
Oklahoma	A	CE	CE	. . .	B	(a-33)	(a-33)	GS	. . .	CE
Oregon	AG	GS	SE	. . .	AG	. . .	B	AG	B	A
Pennsylvania	G	GS	GS	GS	(ww)	GS	G	G	G	CE
Rhode Island	A	A	G	A	(xx)	(a-15)	A	A	A	(yy)
South Carolina	B	B	G	(a-17)	(zz)	N.A.	B	B	(a-25)	B
South Dakota	(a-5)	GB	GB	A	(bbb)	GB	A	GB	. . .	L
Tennessee	A	G	G	A	G	G	A	G	G	(a-9)
Texas	B	B	(a-21)	B	B	B	B	AS	(a-6)	L
Utah	AG	GS	GS	AG	(eee)	GS	AG	AGS	AGS	(fff)
Vermont	(jjj)	GS	GS	SS	AGS	GS	CS	AGS	G	CE
Virginia	GB	B	GB	GB	GB	GB	GB	GB	(a-6)	GB
Washington	GS	SE	GS	GS	A	CE	B	G	(a-16)	CE
West Virginia	CS	GS	GS	. . .	GS	GS	AG	A	(a-5)	SL
Wisconsin	CS	GS	GS	GS	CS	B	CS	GS	(a-6)	L
Wyoming	A	G	A	A	(sss)	GS	A	A	G	CE
Dist. of Columbia	A	A	GC	A	GC	A	(www)	GC	GC	GC
American Samoa	A	G	. . .	. . .	A	. . .	GB	GB	N.A.	G
Puerto Rico	(a-17)	A	GS	CS	A	GS	GS	GS	GS	(a-9)
U.S. Virgin Islands	(a-6)	(a-1)	GS	(a-10)	AG	GS	GS	G	AG	G

(x) Responsibilities shared between Commissioner, Bureau of Revenue (CS); and Director, Local Finance Programs (CS).

(y) Responsibilities shared between Director, Election Division, Office of the Secretary of State, (A); and Secretary of State, (CE).

(z) Responsibilities shared between Commissioner, Department of Labor and Industry (GS); and Director, Licensing Unit (A).

(aa) Responsibilities shared between State Auditor (CE); and Legislative Auditor (L).

(bb) Responsibilities shared between Director of Revenue (GS); Commissioner, Office of Administration (GS); and State Treasurer (CE).

(cc) Responsibilities shared between Administrator, Wildlife Division, Fish, Wildlife and Parks Department (CS); and Administrator, Fisheries Division, same department (CS).

(dd) Responsibilities shared between Administrator, Developmental Disabilities Division (CS); and Administrator, Mental Health Division (CS).

(ee) Responsibilities shared between President, State Board of Education (B); and Commissioner, Department of Education (G).

(ff) Responsibilities shared between State Tax Commissioner, Department of Revenue (GS); Auditor of Public Accounts (B); and Budget Administrator (CE).

(gg) Responsibilities shared between Chief, Wildlife Division, Games and Parks Commission (A); and Chief, Fisheries Department (A).

(hh) Responsibilities shared between Director, Department of Public Institutions (GS); and Director, Medical Services Division, same department (A).

(ii) Responsibilities shared between Commissioner, Department of Administrative Services (GC); and Assistant Commissioner and Budget Officer, same department (AGC).

(jj) Responsibilities shared between Executive Director, Election Law Enforcement Commission (B); and Director, Election Division, Department of State (B).

(kk) Responsibilities shared between Chief, Office of Management and Planning (G); and Director of Policy, same department (G).

(ll) Responsibilities shared between Superintendent, Department of Regulations and Licensing (AG); and Board Administrator, Boards and Commissions (BA).

(mm) Responsibilities shared between Chief, Developmental Disabilities Bureau (AG); and Chief, Mental Health Bureau (AG).

(nn) Responsibilities shared between Commissioner and Treasurer, Department of Taxation and Finance (GS); and Comptroller (CE).

(oo) Responsibilities shared between Commissioner, Mental Retardation and Developmental Disabilities (GS); and Commissioner, Office of Mental Health (G).

(pp) Responsibilities shared between Director, Office of Management and Budget (G); and Executive Budget Analyst, same department (A).

(qq) Responsibilities shared between Secretary of State (CE); and Deputy, Office of the Secretary of State (SS).

(rr) Responsibilities shared between Legislative Budget Analyst and Auditor, Legislative Council (A); and State Auditor (CE).

SELECTED OFFICIALS: METHODS OF SELECTION—Continued

State or other jurisdiction	Pre-audit	Public library development	Public utility regulation	Purchasing	Revenue	Social services	Solid waste management	State police	Tourism	Transportation	Welfare
Alabama	(a-9)	B	SE	A	G	B	A	A	G	A	(a-32)
Alaska	(a-16)	A	G	(a-17)	A	. . .	A	A	A	GB	A
Arizona	(a-16)	A	B	A	GS	A	A	GS	GS	GS	A
Arkansas	AG	G	BG	AG	AG	G	AG	G	AG	(a-18)	(a-32)
California	(a-9)	A	GS	G	B	GS	GS	GS	G	GS	(a-32)
Colorado	(a-9)	A	GS	CS	GS	(a-21)	CS	CS	CS	GS	(a-21)
Connecticut	(a-9)	B	GE	A	GE	GE	CS	GE	CS	GE	GE
Delaware	(a-27)	AG	AG	AG	AG	(g)	AG	AG	A	GS	GS
Florida	A	SS	L	GOC	GOC	A	A	A	A	A	A
Georgia	(a-27)	A	CE	A	G	A	A	G	A	G	(a-32)
Hawaii	CS	B	G	CS	GS	GS	CS	. . .	(a-12)	GS	CS
Idaho	CE	A	GS	A	GS	A	A	G	A	B	A
Illinois	(a-9)	SS	B	(a-17)	GS	GS	(a-14)	GS	(a-7)	GS	GS
Indiana	CE	G	G	A	G	G	A	G	A	G	G
Iowa	(a-31)	A	G	A	GS	A	A	A	A	GS	A
Kansas	(a-9)	GS	B	A	GS	GS	A	GS	A	GS	A
Kentucky	(a-16)	G	G	AG	G	AG	AG	(a-11)	G	G	AG
Louisiana	(a-5)	BS	BS	CS	GS	GS	CS	AS	G	GS	GS
Maine	(a-9)	B	GLS	A	A	A	GLS	A	A	GLS	A
Maryland	CS	A	GS	A	CE	A	A	GS	A	GS	(a-32)
Massachusetts	(a-9)	G	G	G	G	G	A	G	A	G	G
Michigan	CL	CL	GS	CS	(x)	GS	CS	GS	CS	B	(a-32)
Minnesota	A	A	A	A	GS	A	A	A	A	GS	A
Mississippi	(a-16)	B	G	A	B	B	A	GS	A	(a-14)	(a-32)
Missouri	(a-9)	B	GS	A	GS	GS	A	GS	B	(a-18)	A
Montana	. . .	CS	G	CS	G	G	CS	CS	CS	CS	(a-32)
Nebraska	(a-5)	B	B	A	GS	GS	A	GS	A	GS	(a-32)
Nevada	(a-5)	G	G	(a-17)	G	G	A	AG	BG	B	G
New Hampshire	AGC	AGC	GC	AGC	GC	GC	AGC	AGC	CS	GC	AGC
New Jersey	(a-27)	A	A	A	A	GS	A	A	A	GS	A
New Mexico	AG	AG	GS	AG	GS	AG	A	GS	GS	(a-18)	A
New York	(a-9)	(a-13)	GS	(a-17)	CE	GS	(a-15)	G	(a-12)	GS	(a-32)
North Carolina	. . .	AG	AG	AG	G	AG	AG	G	AG	G	G
North Dakota	G	A	CE	A	CE	A	A	G	G	G	G
Ohio	(a-27)	B	GS	AG	GS	GS	AG	GS	AG	GS	(a-32)
Oklahoma	(a-16)	B	CE	A	CS	CS	A	GS	G	GS	(a-32)
Oregon	. . .	B	GS	AG	GS	GS	A	GS	A	BG	AG
Pennsylvania	(a-4)	. . .	G	G	GS	G	G	GS	(a-7)	GS	GS
Rhode Island	A	G	G	A	A	G	A	G	G	G	A
South Carolina	(a-9)	B	B	A	GS	B	A	A	A	(a-18)	(a-32)
South Dakota	. . .	A	B	A	GB	GB	A	G	GB	GB	(a-32)
Tennessee	A	SS	CE	A	G	G	(a-23)	G	G	G	(a-32)
Texas	(a-9)	A	B	A	(a-9)	B	A	B	A	(a-18)	(a-32)
Utah	(a-16)	AG	AG	AG	GS	GS	AG	AG	AG	GS	AG
Vermont	(a-16)	G	GS	(kkk)	AGS	CS	CS	A	A	GS	AGS
Virginia	(a-9)	GB	B	GB	G	GB	GB	GB	A	GB	(a-32)
Washington	. . .	B	B	A	GS	GS	A	GS	A	B	(mmm)
West Virginia	(a-5)	B	G	CS	GS	N.A.	CS	GS	AG	GS	(a-22)
Wisconsin	CS	CS	GS	CS	GS	GS	CS	G	A	GS	A
Wyoming	(a-27)	A	G	A	GS	GS	A	A	A	GS	(a-32)
Dist. of Columbia	(xxx)	B	B	(a-17)	GC	GC	A	GC	(yyy)	GC	A
American Samoa	. . .	A	. . .	N.A.	A	. . .	GB	N.A.	GB	GB	. . .
Puerto Rico	(a-4)	CS	B	(a-17)	A	GS	B	GS	B	GS	(a-32)
U.S. Virgin Islands	(a-16)	AG	GS	GS	GS	GS	(a-34)	GS	AG	GS	(aaaa)

(ss) Responsibilities shared between Director, Department of Mental Retardation and Developmental Disabilities (GS); and Director, Department of Mental Health (GS).

(tt) Responsibilities shared between Secretary of Human Resources, Office of Personnel Management (G); and Executive Director, Employment Security Commission (G).

(uu) Responsibilities shared between Deputy Administrator, Financial Section, Department of Insurance and Finance (AG); and Deputy Administrator, Securities Section, same department (AG).

(vv) Responsibilities shared between Executive Director, Game Commission (BG); and Executive Director, Fish Commission (BG).

(ww) Responsibilities shared between Deputy Secretary, Mental Retardation (G); and Deputy Secretary, Mental Health (G).

(xx) Responsibilities shared between Director, Mental Health, Retardation and Hospitals (G); and Associate Director, Retardation Service (A).

(yy) Responsibilities shared between Chief of General Audit Section, Office of Accounts and Control (A); and Auditor General (A).

(zz) Responsibilities shared between Commissioner, Department of Mental Health (B); and Commissioner, Department of Mental Retardation (B).

(aaa) Responsibilities shared between Secretary, Department of Education (GB); and Superintendent of Education (A).

(bbb) Responsibilities shared between Secretary, Department of Human Services (GB); Director, Developmental Disabilities, same department (A); and Director, Division of Mental Health, same department (A).

(ccc) Responsibilities shared between State Treasurer (GS); and Director, Office of Planning and Budget (AGS).

(ddd) Responsibilities shared between Director, Division of Business and Economic Development (AG); and Director, Division of Community Development (AG).

(eee) Responsibilities shared between Director, Services to People with Disabilities (AG); Director, Service to the Handicapped (AB); and Director, Division of Mental Health (AB).

(fff) Responsibilities shared between State Auditor (CE); and Audit Manager, Office of the Legislative Auditor General (L).

(ggg) Responsibilities shared between Executive Director, Human Rights Commission (B); and Chief, Public Protection Division, Office of the Attorney General (AT).

(hhh) Responsibilities shared between Secretary of State (CE); and Director, Division of Elections, Office of the Secretary of State (SS).

(iii) Responsibilities shared between Commissioner, Department of General Services (AGS); and Deputy Commissioner, Department of General Services (AG).

(jjj) Responsibilities shared between Director, State Information System and Telecommunication (CS); and Deputy Commissioner, Department of General Services (AG).

SELECTED OFFICIALS: METHODS OF SELECTION—Continued

(kkk) Responsibilities shared between Director, Division of Purchasing (CS); and Deputy Commissioner, Department of General Services (AG).

(lll) Responsibilities shared between Director, Department of Fisheries (GS); and Director, Department of Wildlife (GS).

(mmm) Responsibilities shared between Secretary, Department of Social and Health Services (GS); and Director, Income Assistance Services, same department (A).

(nnn) Responsibilities shared between Director, Division of Commerce (GS); and Secretary, Commerce, Labor and Environmental Resources (GS).

(ooo) Responsibilities shared between Director, Office of Consumer Protection (CS); and Administrator, Trade and Consumer Protection Division (A).

(ppp) Responsibilities shared between Director, Bureau of Fish Management (CS); and Director, Bureau of Wildlife Management (CS).

(qqq) Responsibilities shared between EEO, Grievance and Appeal Coordinator, Personnel Division (A); and Coordinator, Department of Education (A).

(rrr) Responsibilities shared between Secretary of State (CE); and Elections Assistant, Office of the Secretary of State (A).

(sss) Responsibilities shared between Director, Mental Health Division (A); and Director, Mental Retardation Division (A).

(ttt) Mayor.

(uuu) Responsibilities shared between Chief, Office of Compliance (A); and Chief, Consumer Education and Information (A).

(vvv) Responsibilities shared between Chairman, Board of Trustees, University of District of Columbia; and President, University of District of Columbia.

(www) Responsibilities shared between Administrator, Public Space Maintenance Administration (A); and Acting Director, Department of Recreation and Parks (G).

(xxx) Responsibilities shared between Controller (GC); and Deputy Mayor, Financial Management (GC).

(yyy) Responsibilities shared between Executive Director, D.C. Visitors and Convention Association; Director, Committee to Promote Washington; and General Manager, Washington Convention Center.

(zzz) Appointed by the U.S. President.

(aaaa) Responsibilities shared between Assistant Commissioner, Department of Human Services (AG); and Administrator, same department (AG).

Table 2.11

SELECTED STATE ADMINISTRATIVE OFFICIALS: ANNUAL SALARIES

State or other jurisdiction	*Governor*	*Lieutenant governor*	*Secretary of state*	*Attorney general*	*Treasurer*	*Adjutant general*	*Administration*	*Agriculture*	*Banking*	*Budget*
Alabama	$ 81,151	$ 45,360	$ 57,204	$ 90,475	$ 57,204	$61,073	(a-17)	$56,806	$61,073	$62,400 (b)
Alaska	81,648	76,188	(a-1)	61,008 (b)	(a-9)	72,468 (b)	72,468 (b)	67,800 (b)	67,800 (b)	(c)
Arizona	75,000	(a-2)	54,600	76,400	54,600	58,000	64,123 (b)	75,240	73,706	(a-26)
Arkansas	35,000	14,000	22,500	26,500	22,500	56,004	(a-16)	52,028	68,876	54,461
California	114,286 (d)	85,714 (d)	85,716 (d)	102,000	85,714 (d)	98,824 (d)	(e)	101,343 (d)	95,052 (d)	(a-16)
Colorado	70,000	48,500	48,500	60,000	48,500	81,400	75,000	75,000	50,508 (b)	75,000
Connecticut	78,000	55,000	50,000	60,000	50,000	59,789 (b)	78,732 (b)	59,789 (b)	67,639 (b)	75,732 (b)
Delaware	80,000	36,500	73,700	84,700	68,200	62,800	68,200	62,800	71,000	79,100
Florida	103,909	94,040	94,040	94,040	94,040	81,399	89,000	94,040	(a-9)	87,000
Georgia	91,080	70,698	72,966	74,645	(a-16)	81,398	70,725	72,966	70,728	82,980
Hawaii	94,780	90,041	(a-1)	85,302	(a-6)	88,107	(a-9)	85,302	67,716	85,302
Idaho	75,000	20,000	62,500	67,500	62,500	75,233	63,440	65,000	65,000	(a-16)
Illinois	97,370	68,732	85,915	85,915	74,459	42,384	83,000	68,732	68,250	82,000
Indiana	74,100	51,199	40,889	59,202	40,898	59,878	72,410	46,410	64,272	70,304
Iowa	76,700	60,000	60,000	73,600	60,000	64,494	(a-17)	60,000	65,083	59,779
Kansas	74,235	70,346	57,668	66,324	59,110	59,000	74,000	63,600	51,279	66,000
Kentucky	79,255	67,378	67,378	67,378	67,378	70,000	56,544	67,378	60,776	N.A.
Louisiana	73,440	63,367	60,169	66,566	60,169	83,998	69,156	60,169	75,920	64,128
Maine	70,000	(s)	48,152	58,240	58,261	47,861	63,606	62,317	67,808	66,539
Maryland	120,000	100,000	70,000	100,000	100,000	72,896 (b)	(a-25)	85,027 (b)	62,497 (b)	99,175 (b)
Massachusetts	75,000	60,000	60,000	65,000	60,000	81,400	80,066	58,010	69,015	77,547
Michigan	106,690	80,300	109,000	109,000	83,100	81,400	79,200	83,100	32,593 (b)	83,100
Minnesota	109,053	59,981	59,981	85,194	59,981	81,390	67,500	67,500	67,500	(a-16)
Mississippi	75,600	40,500	54,000	61,200	54,000	50,400	47,002 (b)	54,000	49,200	(a-16)
Missouri	88,541	54,343	72,327	78,322	72,327	60,192	78,322	69,329	59,109	(a-5)
Montana	54,254	54,305	36,556	49,573	36,278	54,305	54,305	54,305	35,595	54,305
Nebraska	65,000	47,000	52,000	64,500	49,500	50,310	58,602	64,349	71,769	59,628
Nevada	82,391	18,309	57,216	77,814	57,216	59,980	67,879	53,183	52,882	(a-5)
New Hampshire	79,541	(s)	63,430	71,007	63,430	67,230	71,007	53,024	67,230	(jj)
New Jersey	85,000	(s)	100,225	100,225	100,225	100,225	67,541	100,225	100,225	93,064
New Mexico	90,692	65,500	65,500	73,060	65,500	63,042	(a-17)	63,500	54,282	58,692
New York	130,000 (oo)	110,000	87,338	110,000	(pp)	87,338	(a-17)	87,338	87,338	96,662
North Carolina	123,000	75,252	75,252	75,252	75,252	67,130	75,252	75,252	72,408	91,703
North Dakota	67,800	55,632	51,272	57,936	51,272	79,992	(a-25)	51,264	51,792	(rr)
Ohio	99,986	51,709	73,861	73,861	73,861	70,658	85,987	75,005	62,358	79,643
Oklahoma	70,000	40,000	42,500	55,000	50,000	63,118	66,019	55,000	60,420	(a-16)
Oregon	80,000	(a-2)	61,500	66,000	61,500	70,588	90,055	74,111	(ww)	70,584
Pennsylvania	105,000	83,000	72,000	84,000	84,000	72,000	80,000	72,000	72,000	80,000
Rhode Island	69,900	52,000	52,000	55,000	52,000	54,848	72,140	42,662	56,021	71,102
South Carolina	98,000	43,000	85,000	85,000	85,000	85,000	(a-16)	85,000	(a-4)	80,441
South Dakota	60,890	56,067	41,371	51,715	41,371	61,326	60,439	57,304	63,987	(a-16)
Tennessee	85,000	(s)	73,148	89,775	73,148	64,708	(a-17)	62,475	64,708	64,116
Texas	95,301	7,140	70,476	76,192	76,192	58,082	(a-17)	76,192	82,514	76,508
Utah	72,800	54,600	(a-1)	58,300	55,200	46,800 (b)	55,100 (b)	43,800 (b)	50,600 (b)	(eee)
Vermont	80,730	33,655	50,800	61,025	50,800	54,311	64,189	56,700	57,861	(a-16)
Virginia	105,882	29,550	56,603	93,100	85,881	71,193	95,700	77,130	93,897	87,054
Washington	112,000	58,600	60,100	86,400	74,700	61,819 (b)	(a-17)	87,434	52,056 (b)	(a-16)
West Virginia	72,000	(s)	43,000	50,400	50,400	35,700	70,000	46,800	38,300	25,152 (b)
Wisconsin	92,283	49,673	45,088	82,706	45,088	52,480 (b)	65,484 (b)	56,497 (b)	48,746 (b)	52,480 (b)
Wyoming	70,000	(a-2)	52,500	71,298	52,500	63,119	64,087	66,201	41,004	61,800
Dist. of Columbia	90,500 (vvv)	. . .	81,885	81,885	81,885	N.A.	90,000	. . .	81,885	81,885
American Samoa	50,000	45,000	(a-1)	43,975	N.A.	. . .	39,600	40,500	N.A.	39,600
Puerto Rico	70,000 (bbbb)	(a-2)	65,500	65,000	65,000	60,000	(a-25)	65,000	75,000	65,000
U.S. Virgin Islands	80,000	75,000	(a-1)	65,000	(a-16)	65,000	(a-30)	(a-12)	(a-1)	65,000

Source: The Council of State Governments' survey of state personnel agencies, January 1992.

Note: The chief administrative officials responsible for each function were determined from information given by the states for the same function as listed in *State Administrative Officials Classified by Function, 1991-92,* published by The Council of State Governments.

Key:

N.A. — Not available

. . . — No specific chief administrative official or agency in charge of function

(a) Chief administrative official or agency in charge of function:
(a-1) Lieutenant governor
(a-2) Secretary of state
(a-3) Attorney general
(a-4) Treasurer
(a-5) Administration
(a-6) Budget
(a-7) Commerce
(a-8) Community affairs
(a-9) Comptroller
(a-10) Consumer affairs
(a-11) Corrections
(a-12) Economic development
(a-13) Education (chief state school officer)
(a-14) Energy
(a-15) Environmental protection
(a-16) Finance
(a-17) General services
(a-18) Highways
(a-19) Insurance
(a-20) Labor
(a-21) Licensing
(a-22) Mental health and retardation
(a-23) Natural resources
(a-24) Parks and recreation
(a-25) Personnel
(a-26) Planning
(a-27) Post audit
(a-28) Pre-audit
(a-29) Public utility regulation
(a-30) Purchasing
(a-31) Revenue
(a-32) Social services
(a-33) Tourism
(a-34) Transportation
(a-35) Welfare

SELECTED OFFICIALS: ANNUAL SALARIES—Continued

State or other jurisdiction	*Civil rights*	*Commerce*	*Community affairs*	*Comptroller*	*Consumer affairs*	*Corrections*	*Economic development*	*Education*	*Election administration*	*Emergency management*
Alabama	. . .	$91,340	$61,073	$ 62,400 (b)	$35,334 (b)	$ 73,720	(a-8)	$112,683	$29,068 (b)	$61,073
Alaska	67,800 (b)	72,468 (b)	72,468 (b)	61,008 (b)	61,008 (b)	72,468 (b)	67,800 (b)	72,468 (b)	67,800 (b)	67,800 (b)
Arizona	84,430	90,000	33,737 (b)	(a-16)	82,000	96,140	(a-7)	54,600	(a-2)	52,564
Arkansas	. . .	(a-12)	(a-32)	(a-16)	(a-3)	70,884	66,985	65,426	(a-2)	43,088
California	83,869 (d)	95,052 (d)	67,824 (d)	85,714	95,052 (d)	95,052 (d)	(a-7)	97,143 (d)	70,956	88,062
Colorado	49,416 (b)	. . .	49,416 (b)	50,508 (b)	58,068	76,000	79,750	90,885	36,876 (b)	48,108 (b)
Connecticut	63,246 (b)	(a-12)	50,009 (b)	50,000	59,938 (b)	72,681 (b)	67,639 (b)	78,732 (b)	57,632 (b)	45,311 (b)
Delaware	44,500	(a-2)	. . .	63,600	44,700	79,100	79,100	97,000	41,200	46,300
Florida	52,500	89,000	89,000	94,040	62,000	89,000	65,405	94,040	61,888	70,359
Georgia	57,990	81,792	81,774	(a-19)	64,194	70,725	(a-7)	74,645	66,545	67,300
Hawaii	64,992	85,302	74,880	85,302	70,763	85,302	85,302	90,041	(a-1)	88,107
Idaho	42,910	60,424	37,980	(a-28)	(a-3)	66,622	42,910	62,500	56,139	49,691
Illinois	59,568	68,732	(a-7)	74,459	(a-3)	68,732	(a-7)	110,000	69,700	42,384
Indiana	47,034	(a-1)	58,318	(a-28)	48,542	73,866	62,504	58,592	40,040	60,008
Iowa	44,346	57,000	59,010	(a-6)	63,003	72,613	90,000	95,052	(a-2)	43,017
Kansas	59,496	64,392	51,000	66,201	45,516	74,000	(n)	92,817	33,804	44,424
Kentucky	66,150	(a-1)	60,000	(a-16)	(a-3)	70,000	(a-1)	150,000	58,591	44,364
Louisiana	(a-3)	(a-12)	N.A.	(a-5)	. . .	58,000	90,000	95,000	60,168	45,000
Maine	52,645	(a-12)	50,024	60,653	54,995	68,619	75,629	75,629	43,638	50,274
Maryland	69,521	66,304	64,372	100,000	68,293	72,896 (b)	66,304	91,828 (b)	68,293	53,581 (b)
Massachusetts	46,170	(a-12)	66,979	77,547	64,482	77,547	70,666	61,301	49,300	58,010
Michigan	83,100	83,100	51,343 (b)	32,593 (b)	64,289 (b)	83,100	55,540 (b)	83,100	(a-2)	48,462 (b)
Minnesota	60,000	67,500	67,484	(a-16)	72,800	67,500	51,240	78,500	(z)	55,750
Mississippi	. . .	59,400 (b)	44,936 (b)	(a-16)	. . .	55,393 (b)	(a-7)	75,847 (b)	45,604 (b)	33,600
Missouri	51,144	(a-12)	65,556	59,128	(a-3)	69,329	69,329	79,080	31,128	53,247
Montana	43,254	54,305	43,873	(a-5)	36,718	54,305	45,331	42,929	24,868	33,735
Nebraska	73,894	(a-12)	N.A.	63,312	44,280	64,375	74,390	(ff)	(a-2)	40,152
Nevada	48,785	62,880	50,887	57,216	40,185	70,697	66,392	66,778	38,220	41,984
New Hampshire	39,839	71,007	57,400	55,869	(a-3)	63,430	53,024	71,007	(a-2)	57,330
New Jersey	75,000	100,225	100,225	(a-6)	75,000	100,225	75,292	100,225	(kk)	94,700
New Mexico	49,095	(a-12)	57,439	(a-4)	59,510	63,500	63,500	72,207	52,486	52,486
New York	79,437	(a-12)	(a-2)	110,000	73,482	98,399	87,338	131,250	79,437	87,338
North Carolina	52,455	75,252	60,393	96,000	56,877	75,252	70,489	75,252	79,385	56,746
North Dakota	(a-20)	(a-12)	43,404	82,998	32,532	45,000	N.A.	52,308	(ss)	41,328
Ohio	62,733	74,984	58,490	(a-4)	66,830	79,997	85,010	115,003	62,234	47,736
Oklahoma	45,904	89,000	(a-7)	59,570	47,920	70,000	(a-7)	55,000	62,820	38,622
Oregon	60,960	(a-19)	67,164	(a-4)	. . .	81,650	60,960	63,345	63,951	52,629
Pennsylvania	60,108 (b)	76,000	72,000	62,200	65,000 (b)	80,000	(a-7)	80,000	39,511 (b)	60,108 (b)
Rhode Island	37,141	(a-12)	59,493	63,493	39,264	72,140	67,716	94,500	37,692	51,562
South Carolina	72,051	97,076	33,977	85,000	81,962	99,236	(a-7)	85,000	62,482	40,023 (b)
South Dakota	26,939	60,439	(a-12)	41,371	42,266	62,067	54,403	(ccc)	30,364	44,301
Tennessee	55,068	(a-8)	72,585	73,148	39,312	68,646	(a-10)	99,807	41,688	53,244
Texas	50,643	72,828	57,120	76,192	(a-3)	80,371	. . .	70,083	53,785	53,550
Utah	33,030 (b)	50,600 (b)	(fff)	(a-16)	31,304 (b)	50,600 (b)	36,733 (b)	80,176	(a-1)	38,750 (b)
Vermont	(iii)	(a-12)	50,000	(a-16)	58,011	56,492	52,750	68,601	(jjj)	42,578
Virginia	47,708	56,603	73,657	86,639	44,952	94,874	96,699	104,653	51,500	65,258
Washington	65,700	(a-12)	87,434	(a-4)	84,000	87,434	87,434	80,500	35,076 (b)	44,880 (b)
West Virginia	40,000	(ppp)	63,600	46,800	39,900 (b)	45,000	(a-10)	70,600	(a-2)	32,000
Wisconsin	42,061 (b)	56,497 (b)	45,282 (b)	45,282 (b)	(qqq)	56,497 (b)	39,071 (b)	72,337	42,061 (b)	42,061 (b)
Wyoming	(sss)	65,662	(a-12)	52,500	31,000	64,375	61,626	52,500	(ttt)	39,914
Dist. of Columbia	81,885	(a-12)	72,000	81,885	(www)	81,885	81,885	81,885	81,885	81,885
American Samoa	. . .	N.A.	N.A.	N.A.	35,013	N.A.	38,250	40,500	37,003	27,000
Puerto Rico	45,000	65,000	60,000	61,500	65,000	60,000	62,000	65,000	65,500	45,000
U.S. Virgin Islands	37,000	(a-12)	(a-32)	(a-16)	65,000	(a-3)	65,000	65,000	35,000	50,000

(b) Minimum figure in range; top of range follows:

Alabama: Budget, $95,134; Comptroller, $95,134; Consumer affairs, $53,872; Elections administration, $44,070; Employment services, $70,720; Fish & wildlife, $70,720; General services, $65,598; Higher education, $93,310; Information services, $82,030; Parks & recreation, $70,720; Purchasing, $76,154; Solid waste management, $70,720; State police, $56,550; Transportation, $51,220

Alaska: Attorney general, $72,468; Adjutant general, $86,760; Administration, $86,760; Agriculture, $80,772; Banking, $80,772; Civil rights, $80,772; Commerce, $86,760; Community affairs, $86,760; Comptroller, $72,468; Consumer affairs, $72,468; Corrections, $86,760; Economic development, $80,772; Education, $86,760; Elections administration, $80,772; Emergency management, $80,772; Employment services, $80,772; Environmental protection, $86,760; Finance, $80,772; Fish & wildlife, $86,760; General services, $80,772; Higher education, $83,844; Historic preservation; $59,052; Information systems, $80,772; Insurance, $80,772; Labor, $86,760; Licensing, $80,772; Mental health & retardation, $80,772; Natural resources, $86,760; Parks & recreation, $80,772; Personnel, $80,772; Post audit, $80,772; Public library development, $80,772; Public utility regulation, $80,772; Revenue, $80,772; Solid waste management, $63,240; State police, $80,772; Tourism, $80,772; Transportation, $86,760; Welfare, $80,772

Arizona: Administration, $97,042; Community affairs, $51,058

Colorado: Banking, $67,680; Civil rights, $66,216; Community affairs, $66,216; Comptroller, $67,680; Elections administration, $49,416; Emergency management, $64,452; Environmental protection, $67,680; Fish & wildlife, $67,680; Information systems, $67,680; Labor, $67,680; Mental health & retardation, $67,680; Parks & recreation, $67,680; Purchasing, $67,680; Solid waste management, $60,060; State police, $67,680; Tourism, $66,216

Connecticut: Adjutant general, $72,538; Administration, $95,155; Agriculture, $72,538; Banking, $81,686; Budget, $97,283; Civil rights, $76,424; Community affairs, $63,028; Consumer affairs, $76,880; Corrections, $88,024; Economic development, $81,686; Education, $95,155; Elections administration, $73,927; Emergency management, $54,819; Employment services, $76,424; Energy, $72,538; Environmental protection, $88,024; Finance, $99,913; Fish & wildlife, $79,958; Health, $88,024; Highways, $76,424; Historic preservation, $51,931; Information systems, $76,424; Insurance, $81,686; Labor, $81,686; Licensing, $60,758; Natural resources, $73,927; Parks & recreation, $79,958; Personnel, $76,424; Planning, $72,538; Public library development, $72,538; Public utility regulation, $93,546; Purchasing, $83,160; Revenue, $81,686; Social services, $81,686; Solid waste management, $49,654; State police, $88,024; Tourism, $58,420; Transportation, $99,913; Welfare, $88,024

SELECTED OFFICIALS: ANNUAL SALARIES—Continued

State or other jurisdiction	*Employment services*	*Energy*	*Environmental protection*	*Finance*	*Fish & wildlife*	*General services*	*Health*	*Higher education*	*Highways*	*Historic preservation*
Alabama	$46,358 (b)	$55,100	$ 71,000	$ 61,073	$46,358 (b)	$43,004 (b)	$128,652	$ 70,356 (b)	$61,073	$64,500
Alaska	67,800 (b)	. . .	72,468 (b)	67,800 (b)	72,468 (b)	67,800 (b)	(a-35)	70,092 (b)	. . .	49,860 (b)
Arizona	59,611	51,058	95,000	68,831	67,142	71,500	95,000	36,221	79,800	45,000
Arkansas	72,976	59,007	60,882	77,285	63,347	(a-16)	78,350	78,319	86,558	46,436
California	95,052 (d)	90,860 (d)	101,343 (d)	101,343 (d)	99,805	95,052 (d)	95,052 (d)	109,600	63,000	64,668
Colorado	75,000	44,100	50,508 (b)	(a-9)	50,508 (b)	. . .	75,000	95,500	(a-34)	N.A.
Connecticut	63,246 (b)	59,789 (b)	72,681 (b)	82,669 (b)	62,333 (b)	(a-5)	72,681 (b)	101,800	63,246 (b)	40,487 (b)
Delaware	(a-25)	26,734	73,700	84,700	51,000	(a-5)	101,400	51,900	76,500	55,900
Florida	75,000	75,000	89,000	66,400	87,811	(k)	70,292	165,000	89,000	62,624
Georgia	63,108	64,194	79,393	67,164	69,484	(a-5)	120,000	143,298	(a-34)	52,782
Hawaii	69,096	79,452	74,880	(a-6)	66,636	(a-9)	85,302	90,041	78,012	(a-23)
Idaho	61,900	52,187	65,000	65,000	75,233	46,176	80,974	87,984	(a-34)	49,691
Illinois	74,459	59,568	68,732	(m)	(a-23)	71,595	74,459	124,200	(a-34)	45,729
Indiana	67,080	32,916	73,034	(a-6)	44,772	(a-5)	69,784	106,288	(a-34)	40,794
Iowa	68,288	62,566	65,083	(a-6)	65,083	68,000	65,000	95,052	68,203	61,964
Kansas	68,484	42,240	50,172	(o)	47,796	(a-5)	105,074	98,500	(a-34)	41,280
Kentucky	N.A.	70,847	62,512	70,000	(q)	(a-5)	104,264	90,785	N.A.	N.A.
Louisiana	47,037	55,728	68,004	(a-5)	60,320	(a-5)	118,992	104,000	(a-34)	45,600
Maine	59,862	47,694	62,317	71,947	58,344	59,550	68,619	N.A.	(a-34)	60,154
Maryland	. . .	62,497 (b)	85,027 (b)	99,175 (b)	44,236 (b)	85,027 (b)	99,175 (b)	91,828 (b)	93,500	68,293
Massachusetts	(u)	52,090	77,547	(a-5)	63,273	(a-5)	77,547	100,000	77,547	50,000
Michigan	32,593 (b)	. . .	32,593 (b)	(a-6)	(x)	32,593 (b)	83,100	55,540 (b)	(a-34)	32,593 (b)
Minnesota	62,911	54,016	54,079	78,500	51,427	(a-5)	67,500	89,250	N.A.	N.A.
Mississippi	51,600	44,936 (b)	53,234 (b)	56,791 (b)	53,234 (b)	(a-5)	98,304 (b)	99,500	54,000	44,400
Missouri	65,585	55,478	62,708	(cc)	59,856	55,506	83,172	75,000	81,384	32,004
Montana	46,995	45,331	54,305	(a-6)	(dd)	33,735	49,456	90,001	54,305	. . .
Nebraska	54,072	49,428	75,000	(gg)	(hh)	(a-5)	89,000	57,492	(a-34)	60,912
Nevada	58,580	(a-8)	56,582	(a-9)	53,283	57,981	55,082	141,761	(a-34)	42,603
New Hampshire	63,430	37,485	69,122	(a-5)	53,024	(a-5)	79,001	45,447	(a-34)	55,869
New Jersey	75,000	74,000	100,225	(a-6)	66,000	85,000	100,225	100,225	(a-34)	67,836
New Mexico	63,500	58,465	63,500	63,500	60,240	63,500	63,500	66,480	63,500	46,625
New York	(a-20)	87,338	91,957	(a-9)	(a-15)	91,957	98,399	(a-13)	(a-34)	(a-24)
North Carolina	72,408	49,901	68,567	(a-6)	62,424	48,409	71,790	142,520	96,096	52,132
North Dakota	55,596	36,240	56,796	(a-6)	52,008	82,998	82,764	124,992	(a-34)	29,772
Ohio	74,984	60,986	80,018	(a-6)	61,630	(a-5)	85,987	115,003	(a-34)	N.A.
Oklahoma	(vv)	62,920	66,996	65,420	65,516	(a-5)	93,288	145,000	68,420	52,400
Oregon	74,111	58,067	74,111	(a-6)	74,111	77,769	70,588	126,000	74,111	N.A.
Pennsylvania	64,250	60,108 (b)	64,500	(a-6)	(xx)	76,000	80,000	64,500	67,750	39,511 (b)
Rhode Island	79,002	(a-29)	67,716	(a-6)	47,183	(a-5)	93,830	102,781	(a-34)	45,101
South Carolina	93,272	N.A.	87,006	97,367	90,534	79,624	104,775	96,045	101,249	32,895 (b)
South Dakota	31,387	47,071	66,096	71,418	51,751	(a-5)	60,439	95,900	57,304	41,995
Tennessee	64,708	39,888	64,212	73,148	68,646	62,457	68,646	115,620	(a-34)	38,184
Texas	77,520	76,192	68,865	(a-9)	73,440	67,320	81,600	114,554	81,600	48,862
Utah	46,155 (b)	38,750 (b)	49,400 (b)	46,155 (b)	40,872 (b)	(a-5)	59,900 (b)	N.A.	(a-34)	34,840 (b)
Vermont	52,717	56,992	53,497	54,000	51,586	(kkk)	68,463	(a-5)	(a-34)	44,803
Virginia	78,276	87,371	65,624	95,700	70,187	59,885 (b)	100,229	99,425	(a-34)	62,315
Washington	48,960 (b)	65,575	87,434	102,005	(nnn)	82,486	87,434	93,000	(a-34)	40,668 (b)
West Virginia	45,000	65,000	47,800	(a-5)	32,820 (b)	34,032 (b)	70,000	100,000	(a-34)	21,924 (b)
Wisconsin	48,746 (b)	45,282 (b)	52,480 (b)	48,746 (b)	(rrr)	48,746 (b)	56,497 (b)	75,890 (b)	52,480	45,282 (b)
Wyoming	56,000	. . .	59,884	(a-27)	64,927	(a-5)	65,662	63,000	(a-34)	54,027
Dist. of Columbia	81,885	81,885	61,452 (b)	81,885	61,452 (b)	81,885	81,885	(xxx)	61,452 (b)	61,452 (b)
American Samoa	. . .	38,250	32,292	N.A.	38,250	39,600	45,500	40,500	40,500	27,284
Puerto Rico	33,360	40,000	60,000	(a-6)	(a-23)	60,000	65,000	60,000	60,000	55,000
U.S. Virgin Islands	(a-20)	54,500	(a-23)	65,000	51,000	(a-30)	65,000	N.A.	46,000	33,171

(b) Minimum figure in range; top of range follows (continued):

Florida: Social services, $90,723

Kentucky: Solid waste management, $52,512

Maryland: Adjutant general, $89,654; Agriculture, $104,572; Banking, $76,864; Budget, $121,973; Corrections, $89,654; Education, $112,937; Emergency management, $65,899; Energy, $76,864; Environmental protection, $104,572; Finance, $121,973; Fish & wildlife, $58,104; General services, $104,572; Health, $121,973; Higher education, $112,937; Insurance, $76,864; Licensing, $104,572; Mental health & retardation, $89,654; Natural resources, $112,937; Parks & recreation, $83,012; Personnel, $104,572; Public utility regulation, $89,654; Solid waste management, $61,017; State police, $89,654; Transportation, $121,973

Massachusetts: Public library development, $48,770

Michigan: Banking, $85,190; Community affairs, $68,736; Comptroller, $85,190; Consumer affairs, $85,921; Economic development, $74,332; Emergency management, $64,769; Employment services, $85,190; Environmental protection, $91,203; General services, $91,203; Higher education, $74,332; Historic preservation, $85,190; Information systems, $85,190; Licensing, $91,203; Parks & recreation, $85,190; Personnel, $97,530; Public library development, $76,800; Purchasing, $85,190; Solid waste management, $85,190; Tourism, $85,190

Mississippi: Administration, $59,713; Commerce, $75,471; Community affairs, $67,290; Corrections, $70,378; Education, $96,363; Elections administration, $53,765; Energy, $67,290; Environmental protection, $67,623; Finance, $72,153; Fish & wildlife, $67,623; Health, $125,042; Information systems, $74,720; Mental health & retardation, $64,660; Parks & recreation, $66,288; Personnel, $74,720; Planning, $66,288; Public utility regulation, $78,936; Purchasing, $61,508; Social services, $75,471; Solid waste management, $40,470; Tourism, $67,290

Pennsylvania: Civil rights, $69,986; Consumer affairs, $70,000; Elections administration, $61,066; Emergency management, $69,986; Energy, $69,986; Historic preservation, $61,066; Parks & recreation, $68,499; Purchasing, $64,489; Solid waste management, $68,499

South Carolina: Emergency management, $60,034; Historic preservation, $49,342

SELECTED OFFICIALS: ANNUAL SALARIES—Continued

State or other jurisdiction	Information systems	Insurance	Labor	Licensing	Mental health & retardation	Natural resources	Parks & recreation	Personnel	Planning	Post audit
Alabama	$53,872 (b)	$ 61,073	$ 61,073	. . .	$88,322	$ 61,073	$46,358 (b)	$ 93,525	$60,102	$90,558
Alaska	67,800 (b)	67,800 (b)	72,468 (b)	67,800 (b)	67,800 (b)	72,468 (b)	67,800 (b)	67,800 (b)	. . .	67,800 (b)
Arizona	73,706	74,459	N.A.	54,386	62,000	53,524	65,000	75,000	85,000	85,964
Arkansas	69,914	59,643	63,610	. . .	59,358	48,196	58,945	54,461	. . .	22,500
California	86,544	95,052	101,343 (d)	(a-10)	95,052 (d)	101,343 (d)	99,805	95,052 (d)	95,052	78,036
Colorado	50,508 (b)	70,000	50,508 (b)	78,750	50,508 (b)	75,000	50,508 (b)	75,000	(a-6)	80,381
Connecticut	63,246 (b)	67,639 (b)	67,639 (b)	47,368 (b)	(g)	57,632 (b)	62,333 (b)	63,246 (b)	59,789 (b)	(h)
Delaware	77,800	62,800	68,200	49,800	(i)	(a-15)	60,400	73,700	. . .	62,800
Florida	64,909	(a-4)	67,871	57,848	70,292	87,473	74,352	(a-5)	(a-6)	89,760
Georgia	67,200	72,954	72,966	62,238	79,999	78,349	74,088	81,804	(a-6)	72,406
Hawaii	79,032	67,716	85,302	(a-7)	(l)	85,302	55,020	85,302	85,302	72,996
Idaho	(a-5)	61,900	57,532	36,171	45,073	. . .	65,000	63,440	(a-7)	60,424
Illinois	(a-17)	63,004	63,004	63,004	74,459	68,732	(a-23)	(a-17)	83,000	71,253
Indiana	59,514	52,520	54,106	41,236	66,534	71,058	50,440	65,000	50,076	62,712
Iowa	65,083	58,576	55,640	40,844	68,245	68,980	56,534	65,000	(a-12)	60,000
Kansas	60,000	57,668	50,400	(p)	60,000	(a-24)	68,484	65,000	66,000	67,668
Kentucky	(a-16)	55,000	70,000	44,163	73,244	72,931	60,000	70,000	N.A.	67,378
Louisiana	72,780	60,169	60,328	46,452	65,860	58,451	45,600	80,076	48,444	(r)
Maine	81,286	61,610	68,619	52,104	75,629	(t)	58,406	59,550	66,539	54,038
Maryland	. . .	62,497 (b)	70,342	85,027 (b)	72,896 (b)	91,828 (b)	67,496 (b)	85,027 (b)	75,968	83,524
Massachusetts	73,156	69,015	61,786	63,273	(v)	69,015	(w)	73,156	70,066	60,000
Michigan	32,593 (b)	67,300	83,100	32,593 (b)	83,100	83,100	32,593 (b)	32,593 (b)	. . .	85,700
Minnesota	63,4[illegible]4	(a-7)	67,500	(aa)	75,231	67,500	42,783	67,500	67,500	(bb)
Mississippi	58,816 (b)	54,000	. . .	. . .	50,905 (b)	(a-15)	44,268 (b)	58,816 (b)	44,268 (b)	54,000
Missouri	59,128	69,329	69,329	55,488	77,449	69,329	59,103	55,506	(a-5)	72,327
Montana	50,385	34,711	54,305	46,995	(ee)	54,305	40,872	45,331	(a-6)	63,799
Nebraska	67,752	62,275	50,985	53,172	(ii)	55,689	73,375	59,040	52,308	49,500
Nevada	58,581	69,997	47,284	. . .	68,977	61,132	45,885	54,183	50,996	66,291
New Hampshire	. . .	67,230	53,024	(a-2)	69,122	(a-7)	53,024	63,430	57,400	67,230
New Jersey	85,000	100,225	100,225	75,000	80,988	67,836	71,199	100,225	(ll)	85,000
New Mexico	56,458	51,380	49,094	(mm)	(nn)	63,500	55,114	55,232	. . .	65,500
New York	(a-17)	87,338	91,957	(a-2)	(qq)	(a-15)	87,338	87,338	(a-12)	(a-9)
North Carolina	97,586	75,252	75,252	. . .	83,254	75,252	58,787	75,252	55,047	75,252
North Dakota	59,568	51,264	49,900	(a-2)	52,680	38,976	51,996	46,596	43,404	(tt)
Ohio	55,993	75,005	75,005	46,010	(uu)	72,010	55,931	57,990	(a-6)	73,861
Oklahoma	65,500	62,000	42,140	. . .	76,812	(a-33)	(a-33)	56,820	. . .	50,000
Oregon	67,164	81,650	63,345	. . .	81,650	. . .	70,588	67,164	67,164	67,164
Pennsylvania	71,000	72,000	80,000	58,500	(yy)	80,000	52,264 (b)	66,450	80,000	84,000
Rhode Island	53,901	52,556	61,081	40,470	(zz)	(a-15)	51,184	50,575	68,604	(aaa)
South Carolina	79,977	88,281	70,854	(a-17)	(bbb)	N.A.	75,730	77,176	(a-25)	89,185
South Dakota	(a-5)	60,439	60,439	24,700	(ddd)	60,439	47,071	60,439	. . .	57,200
Tennessee	66,648	64,708	62,457	42,084	72,468	68,646	53,508	64,708	65,268	(a-9)
Texas	77,112	67,320	(a-21)	60,085	90,250	68,691	73,440	71,650	(a-6)	86,700
Utah	43,846 (b)	43,800 (b)	46,800 (b)	34,840 (b)	(ggg)	55,100 (b)	38,750 (b)	55,100 (b)	50,600 (b)	(hhh)
Vermont	(lll)	57,861	51,975	42,931	68,593	64,665	55,536	53,250	N.A.	54,100
Virginia	86,149	93,897	68,314	56,603	95,487	95,700	59,093	74,857	(a-6)	90,632
Washington	87,434	72,700	87,434	87,434	60,372 (b)	80,500	81,193	87,434	(a-16)	77,800
West Virginia	44,640 (b)	36,700	35,700	. . .	70,000	47,800	49,980	38,976 (b)	(a-5)	N.A.
Wisconsin	42,061 (b)	52,480 (b)	56,497 (b)	48,746 (b)	36,133 (b)	60,823 (b)	42,061 (b)	60,823 (b)	(a-6)	56,497 (b)
Wyoming	60,395	44,160 (b)	47,861	21,564	(uuu)	68,808	54,027	56,889	51,857	52,500
Dist. of Columbia	61,452 (b)	61,452 (b)	81,885	61,452 (b)	81,885	61,452 (b)	(yyy)	81,885	81,885	81,885
American Samoa	29,172	27,500	. . .	. . .	29,172	. . .	39,600	40,500	N.A.	33,332
Puerto Rico	(a-17)	60,000	65,000	22,380	64,500	65,000	65,000	60,000	65,000	(a-9)
U.S. Virgin Islands	(a-6)	(a-1)	65,000	(a-10)	52,500	65,000	65,000	65,000	52,000	60,000

(b) Minimum figure in range; top of range follows (continued):

Utah: Adjutant general, $63,300; Administration, $74,500; Agriculture, $59,200; Banking, $68,400; Civil rights, $49,067; Commerce, $68,400; Consumer affairs, $46,613; Corrections, $68,400; Economic development, $54,517; Emergency management, $57,741; Employment services, $68,390; Energy, $57,741; Environmental protection, $73,112; Finance, $68,390; Fish & wildlife, $61,110; Health, $81,000; Historic preservation, $51,584; Information systems, $64,002; Insurance, $59,200; Labor, $63,300; Licensing, $51,584; Natural resources, $74,500; Parks & recreation, $57,741; Personnel, $74,500; Planning, $68,400; Public library development, $51,584; Public utility regulation, $54,517; Purchasing, $51,584; Revenue, $68,400; Social services, $74,500; Solid waste management, $64,646; State police, $61,110; Tourism, $54,517; Transportation, $74,500; Welfare, $64,646

Vermont: Tourism, $55,182

Virginia: General services, $92,824

Washington: Adjutant general, $84,820; Banking, $66,636; Elections administration, $44,880; Emergency management, $57,468; Employment services, $62,184; Historic preservation, $52,056; Mental health & retardation, $77,280; Purchasing, $66,636; Solid waste management, $53,364; Tourism, $60,372

West Virginia: Budget, $46,044; Consumer affairs, $47,250; Fish & wildlife, $59,256; General services, $55,344; Historic preservation, $39,228; Information systems, $72,564; Personnel, $63,372; Purchasing, $63,372; Solid waste management, $59,256

Wisconsin: Adjutant general, $79,680; Administration, $100,186; Agriculture, $86,443; Banking, $73,456; Budget, $79,680; Civil rights, $62,450; Commerce, $86,443; Community affairs, $67,726; Comptroller, $67,726; Corrections, $86,443; Economic development, $57,591; Elections administration, $62,450; Emergency management, $62,450; Employment services, $73,456; Energy, $67,726; Environmental protection, $79,680; Finance, $73,456; General services, $73,456; Health, $86,443; Higher education, $116,116; Highways, $79,680; Historic preservation, $67,726; Information systems, $62,450; Insurance, $79,680; Labor, $86,443; Licensing, $73,456; Mental health & retardation, $52,889; Natural resources, $93,062; Parks & recreation, $62,450; Personnel, $93,062; Post audit, $86,443; Preaudit, $48,571; Public library development, $57,591; Purchasing, $62,450; Revenue, $93,062; Social services, $107,858; Solid waste management, $73,456; State police, $62,450; Tourism, $67,726; Transportation, $93,062; Welfare, $86,443

Wyoming: Insurance, $75,852

Dist. of Columbia: Environmental protection, $76,006; Fish & wildlife, $76,006; Highways, $76,006; Historic preservation, $76,006; Information systems, $76,006; Insurance, $76,006; Licensing, $76,006; Natural resources, $76,006; Solid waste management, $76,006; Welfare, $76,006

SELECTED OFFICIALS: ANNUAL SALARIES—Continued

State or other jurisdiction	*Pre-audit*	*Public library development*	*Public utility regulation*	*Purchasing*	*Revenue*	*Social services*	*Solid waste management*	*State police*	*Tourism*	*Transportation*	*Welfare*
Alabama	(a-9)	$60,000	$55,344	$49,972 (b)	$61,073	$ 88,322	$46,358 (b)	$37,128 (b)	$61,073	$33,618	(a-32)
Alaska	(a-16)	67,800 (b)	67,800 (b)	(a-17)	67,800 (b)	. . .	53,304 (b	67,800 (b)	67,800 (b)	72,468 (b)	67,800 (b)
Arizona	(a-16)	42,025	75,550	65,313	85,000	63,223	53,000	87,130	65,000	95,000	65,343
Arkansas	49,452	53,886	62,536	54,461	54,461	78,700	50,277	54,143	42,968	(a-18)	(a-32)
California	(a-9)	60,060	(f)	74,544	95,052 (d)	99,805	90,860 (d)	101,343 (d)	67,824	95,052 (d)	(a-32)
Colorado	(a-9)	63,475	72,100	50,508 (b)	85,000	(a-21)	44,820 (b)	50,508 (b)	49,416	83,500 (b)	(a-21)
Connecticut	(a-9)	59,789 (b)	72,922 (b)	64,830 (b)	67,639 (b)	67,639(b)	38,030 (b)	72,681 (b)	45,542 (b)	82,669 (b)	72,681 (b)
Delaware	(a-27)	45,000	48,200	50,500	73,300	(j)	69,600	70,600	40,900	79,100	69,300
Florida	36,050	67,263	87,473	68,770	87,473	52,020(b)	54,139	77,250	63,500	70,000	68,605
Georgia	(a-27)	73,614	70,200	65,412	71,544	75,903	53,851	79,694	74,084	103,116	(a-32)
Hawaii	72,996	85,302	74,880	47,016	85,302	85,302	41,568	. . .	(a-12)	85,302	71,040
Idaho	62,500	37,980	54,995	45,073	48,484	60,424	42,910	56,139	43,971	78,998	53,456
Illinois	(a-9)	69,324	70,455	(a-17)	74,459	68,732	(a-14)	68,732	(a-7)	74,459	74,459
Indiana	45,994	61,750	57,330	45,370	56,810	75,712	43,966	64,844	48,698	65,000	N.A.
Iowa	(a-31)	49,784	64,947	56,534	75,083	68,980	56,534	68,203	59,800	78,292	56,534
Kansas	(a-9)	56,812	79,254	54,000	70,008	70,008	58,080	60,000	44,000	72,000	57,579
Kentucky	(a-16)	61,386	67,143	46,184	70,000	N.A.	36,216 (b)	(a-11)	70,000	70,000	71,771
Louisiana	(a-5)	58,370	64,008	54,828	60,324	60,320	57,360	54,084	45,600	63,225	55,640
Maine	(a-9)	66,144	76,336	50,024	67,808	57,491	60,486	59,550	54,226	75,629	57,491
Maryland	27,262	66,304	72,896 (b)	53,800	100,000	67,496	49,613 (b)	72,896 (b)	61,393	99,175 (b)	(a-32)
Massachusetts	(a-9)	39,064 (b)	69,015	73,156	77,547	80,067	61,093	69,015	52,090	70,066	77,547
Michigan	85,700	55,000 (b)	67,300	32,593 (b)	(y)	86,000	32,593 (b)	83,100	32,593 (b)	83,100	(a-32)
Minnesota	73,331	63,538	54,505	67,484	78,500	69,000	58,130	66,524	67,484	78,500	54,664
Mississippi	(a-16)	44,400	62,134 (b)	35,356 (b)	60,000	59,713(b)	27,008 (b)	48,000	44,936 (b)	(a-14)	(a-32)
Missouri	(a-9)	64,447	69,329	55,506	78,322	72,327	46,224	63,700	55,488	(a-18)	62,751
Montana	. . .	29,544	40,502	42,373	54,305	54,305	42,373	47,760	34,328	36,793	(a-32)
Nebraska	(a-5)	53,832	43,824	52,884	72,040	60,049	37,884	57,680	42,360	67,787	(a-32)
Nevada	(a-5)	56,049	64,079	(a-17)	60,681	70,877	39,002	59,395	60,780	70,577	61,881
New Hampshire	55,869	53,024	71,007	55,869	71,007	71,007	53,024	63,430	41,633	71,007	55,869
New Jersey	(a-27)	70,908	83,472	82,000	85,000	100,225	73,980	94,700	76,125	100,225	79,420
New Mexico	58,692	48,711	60,600	46,028	63,500	54,339	53,064	56,934	63,500	(a-18)	43,873
New York	(a-9)	(a-13)	91,957	(a-17)	110,000	91,957	(a-15)	91,957	(a-12)	98,399	(a-32)
North Carolina	. . .	52,729	76,252	65,852	75,252	76,739	43,241	78,714	61,264	75,252	75,252
North Dakota	82,998	43,860	51,272	54,240	51,264	68,844	31,080	48,348	40,212	60,420	74,424
Ohio	(a-27)	69,514	85,010	59,592	74,984	85,010	49,982	68,494	50,003	85,987	(a-32)
Oklahoma	(a-16)	49,740	50,000	50,609	66,068	105,220	44,047	61,200	60,420	69,420	(a-32)
Oregon	. . .	52,629	74,111	60,960	74,111	90,055	48,600	77,769	61,343	81,650	77,769
Pennsylvania	(a-4)	. . .	57,500	45,457 (b)	76,000	60,650	52,264 (b)	76,000	(a-7)	80,000	80,000
Rhode Island	34,233	56,660	79,752	61,814	72,854	86,294	49,911	88,914	44,260	72,140	59,859
South Carolina	(a-9)	59,447	64,918	60,674	59,667	95,205	61,068	68,250	60,866	(a-18)	(a-32)
South Dakota	. . .	43,347	44,789	37,488	60,439	72,142	43,118	51,973	57,302	69,555	(a-32)
Tennessee	59,976	64,752	73,148	50,112	68,646	68,646	(a-23)	62,457	64,708	68,646	(a-32)
Texas	(a-9)	45,876	59,670	55,692	(a-9)	85,952	61,995	77,520	61,200	(a-18)	(a-32)
Utah	(a-16)	34,840 (b)	36,733 (b)	34,840 (b)	50,600 (b)	55,100(b)	43,139 (b)	40,872 (b)	36,733 (b)	55,100 (b)	43,139 (b)
Vermont	(a-16)	53,948	69,825	(mmm)	53,376	50,960	52,374	60,424	34,736 (b)	65,714	63,089
Virginia	(a-9)	79,652	93,897	76,721	92,757	86,655	67,542	81,352	70,181	99,425	(a-32)
Washington	. . .	81,193	81,193	52,056 (b)	87,434	101,740	41,688 (b)	87,434	48,336 (b)	102,005	(ooo)
West Virginia	(a-5)	47,500	50,000	38,976 (b)	70,000	N.A.	32,820 (b)	44,600	47,250	70,000	(a-22)
Wisconsin	33,416 (b)	39,071 (b)	68,001	42,061 (b)	60,823 (b)	70,495(b)	48,746 (b)	42,061 (b)	45,282 (b)	60,823 (b)	56,497 (b)
Wyoming	(a-27)	48,410	61,233	48,558	65,662	70,380	47,861	52,836	59,301	70,704	(a-32)
Dist. of Columbia	(zzz)	81,885	N.A.	(a-17)	81,885	81,885	61,452 (b)	81,885	(aaaa)	81,885	61,452 (b)
American Samoa	. . .	25,875	. . .	N.A.	26,847	. . .	49,990	N.A.	39,600	40,500	. . .
Puerto Rico	(a-4)	15,600	75,000	(a-17)	54,000	65,000	55,000	65,000	80,000	65,000	(a-32)
U.S. Virgin Islands	(a-16)	43,000	43,000	65,000	65,000	65,000	(a-34)	65,000	45,000	65,000	(cccc)

(c) Responsibilities shared between Director, Office of Management and Budget, $67,800-80,772; and Director, Division of Budget Review, same department and salary range.

(d) Individual has taken a voluntary 5% cut in the statutory salary for this position.

(e) Responsibilities shared between Director, Department of General Services, $95,052 (voluntary 5% cut in the statutory salary for this position); and Chief Deputy Director, same department, $86,880.

(f) Individual accepts no salary; statutory salary for this position is $95,403.

(g) Responsibilities shared between Commissioner, Department of Mental Retardation, $72,681-88,024; and Commissioner, Department of Mental Health, $88,024.

(h) Responsibilities shared between two Auditors of Public Accounts, $64,830-83,160.

(i) Responsibilities shared between Director, Division of Alcoholism, Drug Abuse and Mental Health, $86,900; and Director, Division of Mental Retardation, $69,300.

(j) Responsibilities shared between Secretary, Services for Children, Youth and Their Families, $73,700; and Secretary, Department of Health and Social Services, $84,700.

(k) Responsibilities shared between Executive Director, Department of General Services, $87,473; and Deputy Executive Director, same department, $77,190.

(l) Responsibilities shared between Chief, Developmental Disabilities Division, Department of Health, $52,716-75,060; and Acting Chief, Adult Mental Health Division, same department and salary range.

(m) Responsibilities shared between Director, Bureau of the Budget, $82,000; and Director, Department of Revenue, $74,459.

(n) Responsibilities shared between Secretary, Department of Commerce, $64,392; Director, Division of Existing Industry, same department, $43,000; Director, Division of Industrial Development, same department, $53,344; and President, Kansas Inc., $75,000.

(o) Responsibilities shared between Secretary, Department of Administration, $74,000; and Director, Division of the Budget, same department, $66,000.

(p) Responsibilities shared between Acting Executive Director, State Board of Healing Arts, $47,364; Executive Director, Behavioral Sciences Regulatory Board, $37,443; Executive Secretary, Board of Technical Professions, $36,002; and Director, Real Estate Commission, $38,029.

(q) Responsibilities shared between Director, Fisheries Division, Fish and Wildlife Research Department, $36,216-52,512; and Director, Wildlife Di-

SELECTED OFFICIALS: ANNUAL SALARIES—Continued

vision, same department and salary range.

(r) Responsibilities shared between Commissioner, Division of Administration, $69,156; and Legislative Auditor, $56,340.

(s) In Maine, New Hampshire, New Jersey, Tennessee and West Virginia, the presidents (or speakers) of the Senate are next in line of succession to the governorship. In Tennessee, the speaker of the Senate bears the statutory title of lieutenant governor.

(t) Responsibilities shared between Commissioner, Department of Environmental Protection, $62,317; and Commissioner, Department of Conservation, $62,317.

(u) Responsibilities shared between Director, Bureau of Human Resource Development, $47,829; and Commissioner, Department of Employment and Training, $74,839.

(v) Responsibilities shared between Commissioner, Department of Mental Health, $77,547; and Commissioner, Department of Mental Retardation, $74,839.

(w) Responsibilities shared between Director, Recreational Facilities, $35,147; and Acting Director, Division of Forests and Parks, $45,243.

(x) Responsibilities shared between Chief, Wildlife Division, Department of Natural Resources, $32,593-85,190; and Chief, Fisheries Division, same department and salary range.

(y) Responsibilities shared between Commissioner, Bureau of Revenue, $32,593-91,203; and Director, Local Finance Programs, same salary range.

(z) Responsibilities shared between Director, Election Division, Office of the Secretary of State, $41,426; and Secretary of State, $59,981.

(aa) Responsibilities shared between Commissioner, Department of Labor and Industry, $67,500; and Director, Licensing Unit, $53,119.

(bb) Responsibilities shared between State Auditor, $65,437; and Legislative Auditor, $72,474.

(cc) Responsibilities shared between Director of Revenue, $78,322; Commissioner, Office of Administration, $78,322; and State Treasurer, $72,327.

(dd) Responsibilities shared between Administrator, Wildlife Division, Fish, Wildlife and Parks Department, $43,873; and Administrator, Fisheries Division, same department and salary.

(ee) Responsibilities shared between Administrator, Developmental Disabilities Division, $50,288; and Administrator, Mental Health Division, $48,907.

(ff) Responsibilities shared between President, State Board of Education, $87,996; and Commissioner, Department of Education, $88,000.

(gg) Responsibilities shared between State Tax Commissioner, Department of Revenue, $72,040; Auditor of Public Accounts, $49,500; and Budget Administrator, $59,628.

(hh) Responsibilities shared between Chief, Wildlife Division, Games and Parks Commission, $46,512; and Chief, Fisheries Department, $47,016.

(ii) Responsibilities shared between Director, Department of Public Institutions, $78,840; and Director, Medical Services Division, same department, $112,900.

(jj) Responsibilities shared between Commissioner, Department of Administrative Services, $71,007; and Assistant Commissioner and Budget Officer, same department, $63,430.

(kk) Responsibilities shared between Executive Director, Election Law Enforcement Commission, $86,051; and Director, Election Division, Department of State, $59,000.

(ll) Responsibilities shared between Chief, Office of Management and Planning; $100,225; and Director of Policy, same department, $20,134.

(mm) Responsibilities shared between Superintendent, Department of Regulations and Licensing, $63,925; and Board Administrator, Boards and Commissions, $37,898.

(nn) Responsibilities shared between Chief, Developmental Disabilities Bureau, $55,808; and Chief, Mental Health Bureau, same salary.

(oo) Accepts $100,000.

(pp) Responsibilities shared between Commissioner and Treasurer, Department of Taxation and Finance, $110,000; and Comptroller, same salary.

(qq) Responsibilities shared between Commissioner, Mental Retardation and Developmental Disabilities, $98,399; and Commissioner, Office of Mental Health, same salary.

(rr) Responsibilities shared between Director, Office of Management and Budget, $82,998; and Executive Budget Analyst, same department, $51,480.

(ss) Responsibilities shared between Secretary of State, $51,272; and Deputy, Office of the Secretary of State, $46,500.

(tt) Responsibilities shared between Legislative Budget Analyst and Auditor, Legislative Council, $63,480; and State Auditor, $51,272.

(uu) Responsibilities shared between Director, Department of Mental Retardation and Developmental Disabilities, $79,997; and Director, Department of Mental Health, $84,989.

(vv) Responsibilities shared between Secretary of Human Resources, Office of Personnel Management, $56,820; and Executive Director, Employment Security Commission, $71,424.

(ww) Responsibilities shared between Deputy Administrator, Financial Section, Department of Insurance and Finance, $63,951; and Deputy Administrator, Securities Section, same department, $60,960.

(xx) Responsibilities shared between Executive Director, Game Commission, $72,392; and Executive Director, Fish Commission, $60,108-69,986.

(yy) Responsibilities shared between Deputy Secretary, Mental Retardation, $64,500; and Deputy Secretary, Mental Health, $66,450.

(zz) Responsibilities shared between Director, Mental Health, Retardation and Hospitals, $87,584; and Associate Director, Retardation Service, $70,692.

(aaa) Responsibilities shared between Chief of General Audit Section, Office of Accounts and Control, $34,233; and Auditor General, $86,742.

(bbb) Responsibilities shared between Commissioner, Department of Mental Health, $106,819; and Commissioner, Department of Mental Retardation, $87,016.

(ccc) Responsibilities shared between Secretary, Department of Education, $60,439; and Superintendent of Education, $33,238.

(ddd) Responsibilities shared between Secretary, Department of Human Services, $67,205; Director, Developmental Disabilities, same department, $42,016; and Director, Division of Mental Health, same department, $45,018.

(eee) Responsibilities shared between State Treasurer, $55,200; and Director, Office of Planning and Budget, $50,600-68,400.

(fff) Responsibilities shared between Director, Division of Business and Economic Development, $36,733-54,517; and Director, Division of Community Development, same salary range.

(ggg) Responsibilities shared between Director, Services to People with Disabilities, $43,139-64,646; Director, Service to the Handicapped, $40,872-61,110; and Director, Division of Mental Health, same salary range.

(hhh) Responsibilities shared between State Auditor, $55,200; and Audit Manager, Office of the Legislative Auditor General, $49,400-73,112.

(iii) Responsibilities shared between Executive Director, Human Rights Commission, $48,755; and Chief, Public Protection Division, Office of the Attorney General, $58,011.

(jjj) Responsibilities shared between Secretary of State, $50,800; and Director, Division of Elections, Office of the Secretary of State, $32,000.

(kkk) Responsibilities shared between Commissioner, Department of General Services, $58,295; and Deputy Commissioner, Department of General Services, $53,385.

(lll) Responsibilities shared between Director, State Information System and Telecommunication, $56,014; and Deputy Commissioner, Department of General Services, $53,385.

(mmm) Responsibilities shared between Director, Division of Purchasing, $44,532; and Deputy Commissioner, Department of General Services, $53,385.

(nnn) Responsibilities shared between Director, Department of Fisheries, $87,434; and Director, Department of Wildlife, same salary.

(ooo) Responsibilities shared between Secretary, Department of Social and Health Services, $101,740; and Director, Income Assistance Services, same department, $52,056-66,636.

(ppp) Responsibilities shared between Director, Division of Commerce, $65,000; and Secretary, Commerce, Labor and Environmental Resources, $70,000.

(qqq) Responsibilities shared between Director, Office of Consumer Protection, $65,693; and Administrator, Trade and Consumer Protection Division, $56,207.

(rrr) Responsibilities shared between Director, Bureau of Fish Management, $42,061-62,450; and Director, Bureau of Wildlife Management, same salary range.

(sss) Responsibilities shared between EEO, Grievance and Appeal Coordinator, Personnel Division, $37,358; and Coordinator, Department of Education, $29,159.

(ttt) Responsibilities shared between Secretary of State, $52,500; and Elections Assistant, Office of the Secretary of State, $21,881.

(uuu) Responsibilities shared between Director, Mental Health Division, $40,000-85,000; and Director, Mental Retardation Division, $60,000.

(vvv) Mayor.

(www) Responsibilities shared between Chief, Office of Compliance, $61,452-76,006; and Chief, Consumer Education and Information, same salary range.

(xxx) Responsibilities shared between Chairman, Board of Trustees, University of Dist. of Columbia; and President, University of Dist. of Columbia.

(yyy) Responsibilities shared between Administrator, Public Space Maintenance Administration, $61,452-76,006; and Acting Director, Department of Recreation and Parks, $81,885.

(zzz) Responsibilities shared between Controller, $81,885; and Deputy Mayor, Financial Management, same salary.

(aaaa) Responsibilities shared between Executive Director, D.C. Visitors and Convention Association; Director, Committee to Promote Washington; and General Manager, Washington Convention Center.

(bbbb) Accepts $35,000.

(cccc) Responsibilities shared between Assistant Commissioner, Department of Human Services, $54,500; and Administrator, same department, $48,000.

THE LIEUTENANT GOVERNORS, 1990-91

By Scott McCallum

Historical Origin

According to most historical accounts, the origin of the office of lieutenant governor can be traced to 16th century England, when the Crown established the office of lord lieutenant. This was a county official who generally represented the king in the management of local affairs. Although often cited as the forerunner to the modern lieutenant governor, the lord lieutenant's office bore closer resemblance to that of the colonial American governor.

One of the earliest references to the office appeared in the Massachusetts Charter of 1629, and the title "lieutenant governor" was first formally used in the Massachusetts Charter of 1691. That charter provided the lieutenant governor or governor's deputy to succeed to the governorship in the event of a vacancy. Although not uniform in reference to the office, later colonial charters typically included a provision for a lieutenant governor or deputy governor to act as a substitute for the chief executive.

The legislative duties of the lieutenant governor also seem to have had their origins in the colonial charters. Some charters designated the lieutenant to be a member, usually the presiding officer, of the governor's council. At that time, the council served as an advisory body to the governor, and in some cases, as the upper body of the legislature.

The office of lieutenant governor has perhaps received greater acceptance as an institutional office with the constitutional creation of the office of the vice president at the federal level. The lieutenant governor, in most states, has powers and duties similar to those of the vice president.

The Modern Lieutenant Governor

The formal duty of succession to the governorship is a stable responsibility for the office of lieutenant governor in most states. State legislation has contributed greatly to the evolution of the office by more clearly defining the responsibilities of the lieutenant. However, the focus and activities of the office are often defined by the incumbent and by the relationship that develops between the lieutenant governor and governor.

While the power of public office is held in the governorship, the office of lieutenant governor is one of opportunity and influence. Lieutenant governors are taking on more responsibility in the executive branch with gubernatorial appointments to, membership on and chairmanship of various state commissions, task forces and committees. Lieutenant governors often provide leadership in policy areas as diverse as education, drug abuse, economic development, small business development, child care and early child care education, literacy, emergency management, veterans' affairs, human services, and energy (see Table A).

To fulfill the legislative responsibility of the office, 27 lieutenant governors preside over their respective Senates, and in 26 states, can vote in case of a tie. Moreover, nine lieutenant governors appoint all standing committees of those chambers, and seven of those appoint committee chairs.

Succession to the Governorship

All states have constitutional or statutory provisions to ensure the stable succession to the governorship upon its vacancy, even though not all states have an office of lieutenant governor per se. Forty-two states and four territorial jurisdictions designate the office of

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Scott McCallum is Lieutenant Governor of Wisconsin and Chair of the National Conference of Lieutenant Governors.

Table A

Examples of Specific Duties

Arkansas	Health Care Access Council
California	Chairman, California Commission for Economic Development; Trustee, California State University System; member, World Trade Commission
Colorado	Chairman, Colorado Commission of Indian Affairs
Connecticut	Chairman, Human Services Cabinet; member, Economic Development Cabinet
Delaware	Chairman, Drug Abuse Coordinating Council, Aquaculture Task Force, Literacy Task Force, Safe Kids Coalition, Parole Board
Hawaii	Chairman, Governor's Subcabinet on Child Care/Early Childhood Education
Illinois	Chairman, Abandoned Mined Lands Reclamation Council, Illinois Rural Bond Bank, Illinois Clean and Beautiful Program Advisory Board, Employee Ownership Advisory Council, Technical Advisory Committee on Aging; directs Illinois' Office of Volunteer and Senior Action; Governor's point man on Chicago School Reform; coordinates activities of State Board of Education, Illinois Community College Board, Illinois Board of Higher Education; coordinates State's War on Drugs
Indiana	Director, Indiana Dept. of Commerce; Commissioner of Agriculture
Kansas	Chairman, Parole Board
Kentucky	Chairman, Economic Development Cabinet
Maryland	Chairman, Governor's Drug and Alcohol Abuse Commission, Maryland Executive Helicopter Advisory Committee, Peabody Institute Oversight Committee, State House Trust
Minnesota	Chairman, Minnesota Tourism Advisory Council; Affirmative Action Advisory Council
Nebraska	Nebraska Rural Development Commission
New Mexico	State Board of Finance, Community Development Council, New Mexico Border Development Authority, Ombudsman
New York	Chairman, Governor's Coastal Resources Task Force, Advisory Task Force on State Support for High Technology Research; Vice Chairman, State Job Training Partnership Council; Co-Chairman, Governor's Housing Task Force
North Carolina	Economic Development Board, Information Technology Committee, State Board of Community Colleges, Capitol Planning Commission; Chairman, North Carolina Drug Cabinet, Western North Carolina Environmental Council, Governor's Advisory Commission on Military Affairs
North Dakota	Chairman, Water Commission, Human Services Advisory Committee, Supported Employment Advisory Committee, Welfare Reform Advisory Committee, Children's Services Coordinating Committee, Emergency Commission, Board of Equalization, State Investment Board, Capitol Grounds Planning Commission, Wetlands Management Committee, Coordinating Committee for History, Parks and Tourism, Yellowstone-Missouri-Fort Union Commission, Water Strategy Task Force
Ohio	Chairman, State and Local Government Commission; Agencies reporting directly to lieutenant governor: Adjutant General, Governor's Office of Criminal Justice Services, Dept. of Alcohol and Drug Addition Services, Dept. of Highway Safety, Dept. of Liquor Control, Dept. of Rehabilitation and Correction, Dept. of Youth Services, Governor's Washington D.C. office
Oklahoma	State Board of Equalization, Commissioners of the Land Office; Chairman, Energy Advisory Council, Executive Bond Oversight Commission, Tourism and Recreation Commission, Trucking Industry Self-Funded Research and Development; Vice Chairman, Capitol Improvement Authority; Board of Managers, State Insurance Fund, Archives and Records Commission, Linked Deposit Review Board
Pennsylvania	Chairman, Board of Pardons, Energy Office, Emergency Management Agency, Heritage Affairs Commission, Recyclable Materials Market Development Task Force; member, Economic Development Partnership Board, Board of Trustees, Pennsylvania State University
South Carolina	Chairman, Commission on The Future of South Carolina, Commission on State Government Restructuring, Hazardous Waste Management Task Force; member, Disaster Preparedness Advisory Council, Interstate Cooperation Commission, Legislative Council, Judicial Council, Legislative Audit Council, Select Oversight Committee, Research Authority, Interagency Council on Public Transportation
Utah	Small Business Advisory Council, Election Law Reform Task Force
Virginia	Commission on the Coordination of the Delivery of Services to Facilitate the Self Sufficiency and Support for Persons with Physical and Sensory Disabilities in the Commonwealth; Chairman, Joint Subcommittee Studying Measures to Assure Virginia's Economic Recovery, Commission to Study Ways to Coordinate Voter Registration and Dept. of Motor Vehicles Procedures; member, Commission on Health Care for All Virginia
Wisconsin	Chairman, Repeat Offender Task Force, Governor's Highway Safety Council; member, Environmental Protection Agency, National Advisory Council for Environmental Policy and Technology; coordinates Governor's Conference on Small Business; operates Lieutenant Governor's Clearinghouse for Child Care Options; alternate delegate, Wisconsin Space Business Roundtable.
American Samoa	Crisis and Emergency Relief Management

lieutenant governor as the position next in line of succession to the governor. In Arizona, Oregon, Wyoming and Puerto Rico, however, the office of secretary of state is next in line of succession. In Maine, New Hampshire, New Jersey and West Virginia, the president of the Senate succeeds to the governorship. And in Tennessee, it is the speaker of the Senate, with the statutory title of lieutenant governor, who is next in line.

Team Elections

The concept of candidates for governor and lieutenant governor running on the same ticket has received much support and reflects the current trend. The primary reason for team elections is the presumption that in the event of succession, there is a greater likelihood of policy continuity and consistency. Still, only 23 states and four U.S. jurisdictions provide for team elections. Of the states with team elections, only eight have linked the governor and lieutenant governor in the nomination process. Notably, in each of the states that have team elections in the general election, the lieutenant governor's term of office is tied to that of the governor.

Term Limits

The issue of term limits is again being considered by a number of legislatures in 1992, and it is likely that term limit initiatives will appear on some state ballots in November.

Several states already have built in limits on the lieutenant governor's tenure. Eleven states limit the lieutenant governor to two consecutive terms of office. Kentucky's lieutenant governor cannot run for consecutive terms at all. California limited its lieutenant governor to two consecutive terms by adopting a term limit initiative in 1990. That same year, Colorado also adopted a referendum limiting the lieutenant governor to two consecutive terms of office.

The term of office for lieutenant governor is four years in all states except Rhode Island and Vermont, where elections are held every two years.

Elections

In 1990, 31 states held elections for the office of lieutenant governor. Fourteen incumbents were successful, and two unsuccessful in their reelection bids. Seven lieutenant governors did not seek reelection.

Three incumbents were successful in their bids for other statewide offices: Arkansas, attorney general; Georgia, governor; and Illinois, secretary of state. Two incumbents were unsuccessful in their primary bids for governor, and one lost a primary race for the U.S. Congress.

In 1991, there were only three elections for lieutenant governor. By statute, Kentucky's lieutenant governor could not succeed himself, but the incumbent was successful in winning the gubernatorial election. In Mississippi and Louisiana, however, both incumbents lost their reelection bids.

The lieutenant governor's post in nine states will be up for election in 1992. This includes Rhode Island and Vermont, where elections are held every two years. In Vermont, however, the office is currently vacant, as the lieutenant governor succeeded to the governorship in August 1991, following the death of the governor.

Virginia is the only state that will have an election for lieutenant governor in 1993.

Diversity of Occupants

The current occupants of the lieutenant governor's office possess a diversity of experience and talent. Six lieutenant governors have been members of the U.S. House of Representatives; fourteen hold law degrees; four have backgrounds in education; several have business backgrounds; and two have experience in journalism and publishing. Others have had most of their career experience in government, often having served in their respective state legislatures.

Office Structure

The manner in which the office of lieutenant governor is structured varies greatly across the states. The office has evolved with changes in state governments and expanding executive branches. It has also evolved along with the interests and efforts of the lieutenant governors themselves.

An examination of the budgets, staffing and salaries associated with these offices provide a clearer indication of the diversity. For example, Illinois has the largest annual budget for the office of lieutenant governor ($1,873,900), and the largest staff (24 professional and six clerical). At the other end of the spectrum, the lieutenant governor's office in Nebraska has an annual budget of $30,058, with only one professional staff member.

In states such as Alabama, Georgia and Mississippi, where the lieutenant governors have major legislative roles, the offices receive additional funds from the legislature's budget. In Florida, Maryland, Massachusetts, Minnesota, South Dakota and American Samoa, the budget for the lieutenant governor is included with that of the governor.

Salaries also vary widely. For example, the lieutenant governor of New York receives the highest salary, $110,000, while Arkansas' lieutenant receives $14,000. It is important to note, however, that the Arkansas post is a part time position and the occupant is permitted to have another occupation. In 11 other states (Alabama, Connecticut, Delaware, Idaho, Mississippi, Missouri, Nevada, Ohio, South Carolina, Vermont and Virginia), the office of lieutenant governor also is a part time responsibility. New Mexico's lieutenant governor has the option of serving full or part time.

A number of lieutenant governors receive additional compensation for presiding over the Senate and for serving as acting governor. The lieutenant governors from Alabama, Idaho, Indiana, Kentucky and Mississippi receive additional compensation for presiding over the Senate. Lieutenant governors in Idaho, Kentucky, Michigan, Mississippi, Missouri, Oklahoma, Texas and Washington receive compensation for serving as acting governor.

Springboard to Higher Office

There have been a number of examples where the office of lieutenant governor has served as a stepping stone to higher office. The following incumbent governors have served as lieutenant governor of their respective states: Michael Castle, Delaware; Zell Miller, Georgia; Joseph Ada, Guam; John Waihee, Hawaii; Terry Branstad, Iowa; Brereton Jones, Kentucky; Bob Miller, Nevada; Mario Cuomo, New York; George Voinovich, Ohio; Howard Dean, Vermont; and L. Douglas Wilder, Virginia. The following U.S. Senators have served as lieutenant governors: Paul Simon, Illinois; Wendell Ford, Kentucky; and Charles Robb, Virginia.

Table 2.12
LIEUTENANT GOVERNORS: QUALIFICATIONS AND TERMS

State or other jurisdiction	*Minimum age*	*State citizen (years)* (a)	*U.S. citizen (years)*	*State resident (years)*	*Qualified voter (years)*	*Length of term (years)*	*Maximum consecutive terms allowed*
Alabama	30	7	10	7	. . .	4	2
Alaska	30	7	7	7	★	4	. . .
Arizona	(b)						
Arkansas	. . .	. . .	★	7	★	4	. . .
California	18	. . .	5	5	★	4	2
Colorado	30	. . .	★	2	. . .	4	. . .
Connecticut	30	. . .	. . .	. . .	★	4	. . .
Delaware	30	. . .	12	6	. . .	4	. . .
Florida	30	. . .	. . .	7	★	4	. . .
Georgia	30	6	15	6	. . .	4	. . .
Hawaii	30	. . .	★	5	★	4	2
Idaho	30	. . .	★	2	. . .	4	. . .
Illinois	25	. . .	★	3	. . .	4	. . .
Indiana	30	. . .	5	5	. . .	4	. . .
Iowa	30	. . .	2	2	. . .	4	. . .
Kansas	. . .	. . .	. . .	. . .	. . .	4	2
Kentucky	30	6	★	6	. . .	4	(c)
Louisiana	25	5	5	. . .	★	4	. . .
Maine	(b)						
Maryland	30	. . .	(d)	5	5	4	. . .
Massachusetts	. . .	. . .	. . .	7	. . .	4	. . .
Michigan	30	. . .	. . .	. . .	4	4	. . .
Minnesota	25	. . .	★	1	. . .	4	. . .
Mississippi	30	. . .	20	5	. . .	4	. . .
Missouri	30	. . .	15	10	. . .	4	. . .
Montana	25	. . .	★	2	. . .	4	. . .
Nebraska	30	5	5	5	. . .	4	. . .
Nevada	25	2	. . .	2	★	4	. . .
New Hampshire	(b)						
New Jersey	(b)						
New Mexico	30	. . .	★	5	★	4	2
New York	30	5	★	5	. . .	4	. . .
North Carolina	30	. . .	5	2	. . .	4	2
North Dakota	30	. . .	★	5	★	4	. . .
Ohio	. . .	. . .	★	. . .	★	4	2
Oklahoma	31	. . .	★	. . .	10	4	. . .
Oregon	(b)						
Pennsylvania	30	. . .	★	7	. . .	4	2
Rhode Island	. . .	. . .	. . .	. . .	★	2	. . .
South Carolina	30	5	★	5	. . .	4	. . .
South Dakota	. . .	. . .	2	2	. . .	4	2
Tennessee	(b)						
Texas	30	. . .	★	5	. . .	4	. . .
Utah	30	5	. . .	5	★	4	. . .
Vermont	. . .	. . .	. . .	4	. . .	2	. . .
Virginia	30	. . .	★	5	5	4	. . .
Washington	. . .	. . .	★	. . .	★	4	. . .
West Virginia	(b)						
Wisconsin	18	. . .	★	. . .	★	4	. . .
Wyoming	(b)						
American Samoa	35	. . .	★	5	. . .	4	2
Guam	30	5	5	★	★	4	2
No. Mariana Islands	35	7	. . .	7	7	4	2
Puerto Rico	(b)						
U.S. Virgin Islands	30	. . .	5	5	5	4	2

Source: The Council of State Governments' survey, February 1992.

Note: This table includes constitutional and statutory qualifications.

Key:

★ — Formal provision; number of years not specified.

. . . — No formal provision.

(a) Some state constitutions have requirements for "state citizenship." This may be different from state residency.

(b) No lieutenant governor. In Tennessee, the speaker of the Senate, elected from Senate membership, has statutory title of "lieutenant governor."

(c) Successive terms forbidden.

(d) *Crosse* v. *Board of Supervisors of Elections* 243 Md. 555, 221 A.2d431 (1966)—opinion rendered indicated that U.S. citizenship was, by necessity, a requirement for office.

Table 2.13
LIEUTENANT GOVERNORS: POWERS AND DUTIES

State or other jurisdiction	*Presides over Senate*	*Appoints committees*	*Breaks roll-call ties*	*Assigns bills*	*Authority for governor to assign duties*	*Member of governor's cabinet or advisory body*	*Serves as acting governor when governor out of state*
Alabama	★	★ (a)	★	★	. . .	. . .	★ (b)
Alaska	. . .	. . .	. . .	. . .	★	★	★ (c)
Arizona	(d)						
Arkansas	★	. . .	★	★	. . .	. . .	★
California	★	. . .	★	. . .	★	. . .	★
Colorado	. . .	. . .	. . .	. . .	★	★	★
Connecticut	★	. . .	★	★	★	★	★
Delaware	★	. . .	★	★	★	★	. . .
Florida	. . .	. . .	. . .	. . .	★	. . .	. . .
Georgia	★	★ (a)	. . .	★	★	. . .	. . .
Hawaii	. . .	. . .	. . .	. . .	★	★	★
Idaho	★	. . .	★	. . .	★	. . .	★
Illinois	. . .	. . .	. . .	. . .	★	. . .	. . .
Indiana (e)	★	. . .	★	. . .	★	★	. . .
Iowa	. . .	. . .	. . .	. . .	★	. . .	. . .
Kansas	. . .	. . .	. . .	. . .	. . .	. . .	★
Kentucky	★	. . .	★	. . .	★	★	★
Louisiana	. . .	. . .	. . .	. . .	★	. . .	★
Maine	(f)						
Maryland	. . .	. . .	. . .	. . .	★	★	★
Massachusetts	. . .	. . .	. . .	. . .	★	★	★
Michigan	★	. . .	★	. . .	★	★	★
Minnesota	. . .	. . .	. . .	. . .	★	. . .	. . .
Mississippi	★	★ (a)	★	★	. . .	. . .	★
Missouri	★	. . .	★	. . .	★	. . .	. . .
Montana	. . .	. . .	. . .	. . .	★	★	★ (b)
Nebraska	★ (g)	. . .	★ (h)	. . .	★	. . .	★
Nevada	★	. . .	★	. . .	. . .	. . .	★
New Hampshire	(f)						
New Jersey	(f)						
New Mexico	★	(i)	★	. . .	★	★	★
New York	★	. . .	★	. . .	★	★	★
North Carolina	★	. . .	★	. . .	★	★ (j)	★
North Dakota	★	. . .	★	★	★	★	★
Ohio	. . .	. . .	. . .	. . .	(k)	★	(l)
Oklahoma	★	. . .	★	. . .	★	★	★
Oregon	(d)						
Pennsylvania	★	. . .	★ (h)	★	★	★	. . .
Rhode Island	★	. . .	★	★	★	. . .	★
South Carolina	★	. . .	★	. . .	. . .	. . .	(m)
South Dakota	★	(n)	★	★	★	★	(o)
Tennessee	(f)						
Texas	★	★ (a)	★	★	. . .	. . .	★
Utah	. . .	. . .	. . .	. . .	★	★	. . .
Vermont	★	★ (a)	★	★	. . .	. . .	★
Virginia	★	. . .	★	. . .	★	★	. . .
Washington	★	(p)	★ (h)	. . .	★	. . .	★
West Virginia	(f)						
Wisconsin	. . .	. . .	. . .	. . .	★	★	(q)
Wyoming	(d)						
American Samoa	. . .	. . .	. . .	. . .	★	. . .	★
Guam	. . .	. . .	. . .	. . .	★	★	★
No. Mariana Islands	. . .	. . .	. . .	. . .	★	★	★
Puerto Rico	(d)						
U.S. Virgin Islands	. . .	. . .	. . .	. . .	★ (k)	★	★

See footnotes at end of table.

LIEUTENANT GOVERNORS: POWERS AND DUTIES—Continued

Source: The Council of State Governments' survey, February 1992.

Key:

★ — Provision for responsibility.

. . . — No provision for responsibility.

(a) Appoints all standing committees. Alabama—appoints some special committees; Georgia—appoints all Senate members of conference committees and all senators who serve on interim study committees; Mississippi—appoints members of conference, joint and special committees; Texas—appoints members of standing subcommittees, conference, special, joint legislative and temporary committees; Vermont— appoints all committees as a member of the Committee on Committees.

(b) After 20 days absence. In Montana, after 45 days.

(c) Alaska constitution identifies two types of absence from state: (1) temporary absence during which the lieutenant serves as acting governor; and (2) continuous absence for a period of six months, after which the governor's office is declared vacant and lieutenant governor succeeds to the office.

(d) No lieutenant governor; secretary of state is next in line of succession to governorship.

(e) By statute, lieutenant governor serves as Director of Department of Commerce and Commissioner of Agriculture.

(f) No lieutenant governor; Senate president or speaker is next in line of succession to governorship. In Tennessee, speaker of the Senate bears the additional statutory title of "lieutenant governor."

(g) Unicameral legislative body.

(h) Except on final enactments.

(i) Special committees only for joint sessions to inform the House and the governor.

(j) Member of *Council of State* per state constitution. Also sits on Governor's Cabinet, by invitation.

(k) Presides over cabinet meetings in absence of governor.

(l) Only if governor asks the lieutenant to serve in that capacity, in the former's absence.

(m) Only in emergency situations.

(n) Conference committees.

(o) Only in event of governor's continuous absence from state.

(p) In theory, lieutenant governor is responsible; in practice, appointments are made by majority caucus.

(q) Only in situations of an absence which prevents governor from discharging duties which need to be undertaken prior to his return.

THE SECRETARIES OF STATE, 1990-91

By James H. Douglas

State government is not really a ship of state. A better metaphor is a flotilla of smaller vessels, generally heading in the same direction but under separate captains, still subject to a higher command, either from the legislature, the courts, the executive, or the people themselves. The secretary of state is one of these captains.

Short rations is the rule for state government agencies in the early 1990s, and the offices of secretaries of state are no exception. Improving services (including the time it takes to process paperwork and issue official certifications or licenses) is an ambitious objective when revenues are short, staffs shrinking, and legislative interest in statutory reform lagging due to the distractions of the present fiscal crisis.

The Role and Office

The first problem in discussing the office of secretary of state is the diversity of assignments secretaries in various states have been given. Some run the state's motor vehicle division. Others are in charge of libraries, art councils and museums.

Secretaries of state also recognize that their role in state government is not entirely logical. Originally, the office was defined by its legislative and archival duties, but beyond that, the types of programs administered by a majority of secretaries — corporations, elections and archives, for example — became part of the office's domain by accident. In some cases there was no other natural home for a program or no other agency to consent to take it.

Forty-seven states have secretaries; in Alaska, Hawaii and Utah the function is performed by the lieutenant governor. In Massachusetts, Pennsylvania, Virginia and Kentucky, the office title is secretary of the commonwealth. Some secretaries are still elected directly by the legislature, such as in New Hampshire, Maine and Tennessee. In eight states, including Delaware and New York, the secretary is appointed by the governor. The rest are elected at large by the voters of their states.

All but five perform election functions — including voter registration, ballot eligibility, canvassing of votes, campaign finance reporting, and approval of voting machines — among other duties. All but eight handle corporation filings and all but 15 handle administrative rulemaking. Twenty-five secretaries issue licenses for at least some professions, while 22 maintain the state's archives.

The secretary of state is a political, yet nonpartisan office. Impartiality is a key characteristic required of those who serve in this position, whatever the duties. The effectiveness of the secretary is directly proportional to the amount of trust voters and other members of the public have in dealing with the office.

While the office usually is bounded by tradition in the duties it is assigned, the secretaries of state are not hidebound in how they perform their work. In fact, some of the most innovative technical changes occurring in state government originate in this office. The purpose of this essay is to highlight those changes.

Corporations

The role of a secretary of state in administering corporation and other business laws is fundamentally a record-keeping function. Business people file articles of association to create a domestic corporation, or apply for authority to conduct business in a state as a

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James H. Douglas is Secretary of State of Vermont.

foreign corporation. Secured transactions are made public through the filing of statements under the Uniform Commercial Code (UCC). Tradenames and trade marks are filed to protect a business from its competitors.

Reform in corporations administration depends on the flexibility of the law and the ingenuity of those in charge of the operation. The principal objectives are efficiency, speed of processing and retrievability of documents on file.

In Washington state, in the office of the secretary, a business person can obtain all of the licenses and permits needed to start business life. Information on applications is readily shared among state agencies to ensure compliance, while improving the pace of business start-ups.

Over half a million calls are made to the Florida secretary of state's corporation division each month, a 400 percent increase over the calls received in 1986. To handle the workload, the office installed a telephone voice response system, which reduces staff time and ensures faster service to the public. Florida also has a direct access computer linkage available to its corporation files, and has established an electronic certification and filing service. Direct access is available in other states as well, notably Mississippi, where users may conduct data base searches from their own desks via computer and telephone modem.

Wyoming promises and delivers a 24-hour turnaround service for new corporation filings. Anything longer and the incorporation fee is reduced by $20. In other states, such as Illinois, next-day service is available for an extra fee.

Illinois also is in the vanguard of states offering expanded services for which credit cards may be used as a form of payment. Prepaid accounts are another new idea for corporation fees. Colorado has implemented this system, which encourages regular clients of the corporations division to maintain a reasonable balance in their accounts from which the office draws for the payment of filing and other fees. Prepaid accounts are good for clients and for the division, which has reduced its check processing costs accordingly.

In New Jersey, the department of state uses a recreational vehicle as a traveling office to ensure that tax and corporation filings and information are available in remote regions of that state. The secretary's office also is among the first to use digitization for computer filing systems. Corporation filings are scanned and copied electronically, making them easier to retrieve and store and allowing greater control of the information by the filing office.

New Jersey also recently implemented a facsimile service for name reservations. Patrons fax a letter of request to the secretary, provide a credit card or depository number, and a certificate of reservation is forwarded to the patron by regular mail if the name is available.

Computerization of UCC files is the latest frontier in secretaries' offices. Tennessee is in active conversion from traditional paper filings to optical disk scanning and storage for its records. The transition costs are being financed by an increase in filing fees. The high cost of errors in UCC searches makes the use of optical scanning equipment desirable. In Louisiana, the law on UCC filings was amended recently to allow filing in any one of the state's 64 parishes (counties). Through a computer system managed by the secretary of state, searches of the entire system can be accomplished from any parish office. In other states, "where to file" is sometimes a complex question, with high penalties for mistakes.

Iowa's secretary of state soon will offer electronic filing for UCC statements. The costs of filing and records storage will be lowered and the ability to retrieve information will be materially improved when this system is implemented.

As with other state agency administrators that primarily deal with the public and their needs, secretaries frequently turn to their patrons to learn how their services can be enhanced. Consequently, the appointment of user advisory committees is growing in popularity. Iowa and Mississippi are just two examples of states where such committees have been formed to offer a continuing dialogue between users and administrators on how business laws should be administered.

Elections

Election administration usually involves a medley of duties including determining candidate eligibility, voter registration, ballot preparation, election worker training and campaign finance disclosure. The challenge of this business is to keep elections fair and impartial.

Secretaries of state are in the vanguard of voter registration and election reform efforts. Ensuring more universal registration practices while protecting against voter fraud is not an easy balancing act. Removing registration barriers is the most important step a state can take to increase the electoral turnout. This may include increasing the number of officials authorized to register voters. In Nevada, voters can register by mail for the first time in that state's history.

Washington state has adopted a "motor-voter" registration program, joining about 20 others that made the procedure available to their citizens. Eligible citizens can register to vote at the same time and place as they apply for or renew their driver's licenses. The same basic service also is available in Montana.

The Ohio secretary of state's office has developed a program called "Ohio First Vote," designed to target 18-year-olds who will be voting for the first time in the 1992 presidential election. Working through the schools, the office expects to offer voter registration opportunities to an estimated 125,000 first-time voters in 1992.

Connecticut's secretary of state has started a task force to increase voter participation in the Hispanic community. The office also began offering voter registration services at naturalization ceremonies, so that new citizens would be ready for their first elections. In addition, Connecticut sponsored a citizenship conference, which brought government officials, business leaders and educators together to discuss ways of increasing voter registration and community involvement.

In Florida, the secretary of state has installed a direct computer link with 64 of the 67 county supervisors' offices, allowing for regional filings of election returns and other public information.

Minnesota's secretary has developed an election night reporting system, using a computer network to compile and total votes for county, state and federal offices. Voters can learn official election results as soon as the numbers are available.

Colorado's computer network links a majority of county clerks' offices in the state. Clerks enter new voter applications directly into the network, where all transaction changes and the voting history of each voter are stored. The system allows clerks to check other county registration lists to see if voters are registered in more than one county. A centralized voter checklist also is being designed and implemented in Tennessee.

Many secretaries use computers in the design and printing of ballots. Vermont and Massachusetts, for instance, have developed statewide election ballots in a camera-ready format that has saved money and time and has allowed the offices to meet close deadlines for ballot preparation and mailing.

In Alabama, a citizen can dial the secretary of state's office directly not only for corporation information, but also for information on elections. The system is organized by candidate and allows administrators and the public to track each candidate through the entire campaign cycle.

In Ohio, the secretary's office houses two public display terminals, through which citizens may review campaign finance files on all candidates. The office also sells tapes, diskettes and hard copies of the data upon request.

For the future, secretaries are considering the possibility of adopting a uniform absentee ballot law, which would allow any voter to vote by mail, and beyond that, all-mail elections, in which all voters vote absentee. Ballots would automatically be sent to all registered voters in this type of election, which already has been conducted on a limited basis in some states. Early evidence shows not only increased participation, but also substantial cost savings when no polling places are required in an election.

In Iowa, ice storms in fall 1991 triggered the declaration of an election emergency by its secretary of state. New legislation enacted that year authorized this declaration, allowing elections to be rescheduled to a later date when power would be restored to the polling places. Iowa also arranged to have its voter registration form printed in phone directories and in all state tax booklets.

The National Association of Secretaries of State (NASS) has been heavily involved with election issues. In recent years, NASS members have testified before congressional committees studying national legislation to establish uniform polling hours and to encourage greater voter registration opportunities for U.S. citizens, particularly the military serving overseas. NASS continues to work closely with the Federal Voting Assistance Program at the Pentagon on election matters, and helped pioneer the use of faxed ballots to the soldiers serving in Operation Desert Storm in early 1991.

Archives

Archives are permanent records, though not all of them are old in the sense that they are written with quill pens on parchment. It is just as likely that today's executive order or letter will become part of the archives. The challenge of administering archives is ensuring that records are accessible to the public and that they remain in good condition in spite of their age and use. However, money often is tight when it comes to archives programs, and there is seldom enough attention given to this area of responsibility.

New Jersey is experimenting with a training program for records managers in state, county and local government. What to keep and what to destroy are the toughest decisions any records manager must face. This training program provides managers with a model to follow through a feasibility study session, where alternative methods of storage and retrieval are considered. This is another area where electronic image processing is in its exploratory stages.

Vermont has developed electronic finding aids that allow quick searches through records collections, such as gubernatorial records. In that way, users can follow issues from one administration to the next.

New technology brings new challenges to records and archives managers. How computer data and programs can be preserved in an era of rapid equipment change is just one of the issues being explored at the state and national level.

Final Thoughts

The office of the secretary of state requires the incumbent to be more than a politician or bureaucrat. The intense public involvement of this office frequently keeps the secretary busy managing his or her responsibilities, even without the distractions of legislative affairs. As the chief election officer of a state, the secretary frequently is required to help municipalities and counties remain vigilant to their own duties. Public education and public officer training are important parts of the agenda for a secretary's year.

The secretary of state is a busy office — one with an extraordinarily diverse set of duties and often, more responsibility than authority to carry out those duties. The record of the last few years shows that the men and women who hold the office are more than equal to the challenge.

Table 2.14
SECRETARIES OF STATE: QUALIFICATIONS FOR OFFICE

State or other jurisdiction	Minimum age	U.S. citizen (years)	State resident (years)	Qualified voter (years)	Method of selection to office
Alabama	25	★	★	★	E
Alaska	(a)				
Arizona	25	★	★	★	E
Arkansas	18	. . .	2	. . .	E
California	18	★	★	★	E
Colorado	25	★	2	32 days	E
Connecticut	18	. . .	. . .	★	E
Delaware	. . .	. . .	★	. . .	A
Florida	30	★	7	★	E
Georgia	25	10	4	. . .	E
Hawaii	(a)				
Idaho	25	★	2	. . .	E
Illinois	25	★	3	. . .	E
Indiana	. . .	. . .	. . .	. . .	E
Iowa	. . .	. . .	. . .	. . .	E
Kansas	18	★	★	★	E
Kentucky	30	★	2 (b)	★	E
Louisiana	25	5	5 (b)	★	E
Maine	. . .	. . .	. . .	. . .	(c)
Maryland	. . .	. . .	★	. . .	A
Massachusetts	18	★	5	★	E
Michigan	18	★	★	★	E
Minnesota	21	★	★	★	E
Mississippi	25	5	5 (b)	5	E
Missouri	. . .	★	. . .	★	E
Montana (d)	25	★	★	★	E
Nebraska (e)	19	★	. . .	. . .	E
Nevada	25	★	2	★	E
New Hampshire	. . .	★	★	★	(c)
New Jersey	. . .	★	★	★	A
New Mexico	30	★	5	★	E
New York	. . .	. . .	. . .	. . .	A
North Carolina	21	★	★	★	E
North Dakota	25	★	★	★	E
Ohio	. . .	. . .	★	★	E
Oklahoma	31	★	. . .	10	A
Oregon	. . .	. . .	. . .	★	E
Pennsylvania	. . .	. . .	. . .	. . .	A
Rhode Island	18	★	30 days	★	E
South Carolina	21	★	★	★	E
South Dakota	. . .	. . .	★	. . .	E
Tennessee	. . .	. . .	. . .	. . .	(c)
Texas	. . .	. . .	. . .	. . .	A
Utah	(a)				
Vermont	. . .	. . .	. . .	. . .	E
Virginia	. . .	. . .	. . .	. . .	A
Washington	18	★	★	★	E
West Virginia	18	★	30 days	30 days	E
Wisconsin	18	★	★	★	E
Wyoming	25	★	★	★	E
American Samoa	(a)				
Guam	(a)				
No. Mariana Islands	(a)				
Puerto Rico	. . .	5	5	. . .	A
U.S. Virgin Islands	(a)				

Source: The National Association of Secretaries of State, *Secretary of State: The Office and Duties*, 1991.

Note: This table contains constitutional and statutory provisions. "Qualified voter" provision may infer additional residency and citizenship requirements.

Key:

★ — Formal provision; number of years not specified
. . . — No formal provision
A — Appointed by governor
E — Elected by voters

(a) No secretary of state.

(b) State citizenship requirement.

(c) Chosen by joint ballot of state senators and representatives. In Maine and New Hampshire, every two years. In Tennessee, every four years.

(d) No person convicted of a felony is eligible to hold public office until final discharge from state supervision.

(e) No person in default as a collector and custodian of public money or property shall be eligible to public office; no person convicted of a felony shall be eligible unless restored to civil rights.

Table 2.15

SECRETARIES OF STATE: ELECTION AND REGISTRATION DUTIES

State or other jurisdiction	Election								Registration				
	Chief election officer	*Determines ballot eligibility of political parties*	*Receives initiative and/or referendum petition*	*Files certificate of nomination or election*	*Supplies election ballots or materials to local officials*	*Files candidates' expense papers*	*Files other campaign reports*	*Conducts voter education programs*	*Registers charitable organizations*	*Registers corporations (a)*	*Processes and/or commissions notaries public*	*Registers securities*	*Registers trade names/marks*
Alabama	★	★	★	★	★	...	★	★	...	★	...	...	★
Alaska (b)	★	★	★	★	★	...	...	★	...	...	★	...	...
Arizona	★	★	★	...	★	★	★	★	★	...	★	...	★
Arkansas	★	★	★	★	★	★	★	★	★	★	★	...	★
California	★	★	★	★	★	★	★	★	...	★	★	...	★
Colorado	★	★	★	★	★	★	★	★	★	★	★	...	★
Connecticut	★	★	...	★	★	★	★	★	★	★	★	...	★
Delaware	...	...	...	(c)	...	...	★	...	★	★	★	...	★
Florida	★	★	...	★	★	★	★	★	...	★	★	...	★
Georgia	★	★	...	★	★	★	★	★	★	★	★	★	★
Hawaii (b)	★	★	...	...	★	★	★	★	...	...	...	...	...
Idaho	★	★	★	★	★	★	★	★	...	★	★	...	★
Illinois	...	...	★	★	...	...	...	...	...	★	★	★	★
Indiana	...	...	...	★	...	★	★	...	...	★	★	★	★
Iowa	★	★	...	★	★	...	...	★	★	★	★	...	★
Kansas	★	★	...	★	★	★	★	★	★	★	★	...	★
Kentucky	★	★	...	★	★	...	...	★	...	★	★	...	★
Louisiana	★	★	...	★	★	★ (d)	★ (d)	★	...	★	...	...	★
Maine	★	★	★	★	★	...	...	★	...	★	★	...	★
Maryland	...	...	★	...	...	...	★	...	★	...	★	...	★
Massachusetts	★	★	★	★	★	(e)	(e)	★	...	★	★	★	★
Michigan	★	...	★	★	★	★	★	★	...	...	★	...	...
Minnesota	★	★	...	★	★	...	...	★	...	★	...	...	★
Mississippi	(f)	★	...	★	★	★	★	★	★	★	★	★	★
Missouri	★	★	★	★	★	★	★	★	...	★	★	★	★
Montana	★	★	★	★	★	...	...	★	...	★	...	...	★
Nebraska	★	★	★	★	★	...	...	★	★	★	★	...	★
Nevada	★	★	★	★	★	★	★	★	★	★	★	★	★
New Hampshire	★	★	★	★	★	★	★	★	★	★	★	...	★
New Jersey	★	★	...	★	★	★	★	★	...	★	★	...	★
New Mexico	★	★	★	★	★	★	★	★	...	...	★	...	★
New York	...	...	...	...	...	...	...	...	★	★	★	★	★
North Carolina	...	...	...	★	...	...	...	★	★	★	★	★	★
North Dakota	★	★	★	★	★	★	★	★	★	★	★	...	★
Ohio	★	★	★	★	★	★	★	★	...	★	★	...	★
Oklahoma	...	...	★	★ (g)	...	...	...	...	...	★	★	...	★
Oregon	★	★	★	★	★	★	★	★	...	★	★	...	★
Pennsylvania	★	★	...	★ (h)	★	★	★	★	★	★	★	...	★
Rhode Island	★	...	...	★	★	...	...	★	★	★	★	...	★
South Carolina	...	...	...	...	...	...	...	...	★	★	★	★	★
South Dakota	★	★	★	★	★	★	★	★	...	★	★	...	★
Tennessee	(i)	★	...	★	★	...	...	...	★	★	★	...	★
Texas	★	★	...	★	★	★	★	★	...	★	★	...	★
Utah (b)	★	★	★	★	★	★	★	★	N.A.	N.A.	N.A.	N.A.	N.A.
Vermont	★	★	N.A.	★ (j)	★	★	★	★	...	★	...	...	★
Virginia	...	...	...	...	...	...	...	...	...	...	...	...	...
Washington	★	★	★	★	★	...	...	★	★	★	...	...	★
West Virginia	★	★	N.A.	★	★	★	★	★	★	★	★	...	★
Wisconsin	...	...	N.A.	N.A.	...	...	...	...	...	★ (k)	★	...	★
Wyoming	★	★	★	★	★	★	★	★	★	★	★	★	★
Guam (b)	...	...	...	...	...	...	...	...	...	...	...	...	...
Puerto Rico	...	...	...	...	...	...	...	...	...	★	★	...	★
U.S. Virgin Islands (b)	...	...	...	...	...	...	...	...	★	★ (k)	★	...	★

Source: The National Association of Secretaries of State, *Secretary of State: The Office and Duties*, 1991.

Key:

★ — Responsible for activity

. . . — Not responsible for activity

N.A. — Not applicable.

(a) Unless otherwise indicated, office registers domestic, foreign and non-profit corporations.

(b) No secretary of state. Duties indicated are performed by lieutenant governor.

(c) Files certificates of election for publication purposes only; does not file certificates of nomination.

(d) Candidates for Congress only.

(e) Federal candidates only.

(f) State Election Commission composed of governor, secretary of state and attorney general.

(g) Files certificates of national elections only; does not file certificates of nomination.

(h) Certificates of nomination are filed only for special elections or when vacancies in nominations occur.

(i) Secretary appoints state coordinator of elections.

(j) Files certificates of election for House of Representatives only.

(k) Both domestic and foreign profit; but only domestic non-profit.

Table 2.16
SECRETARIES OF STATE: CUSTODIAL, PUBLICATION AND LEGISLATIVE DUTIES

State or other jurisdiction	Custodial				Publication					Legislative			
	Archives state records and documents	Files state agency rules and regulations	Administers uniform commercial code provisions	Files other corporate documents	State manual or directory	Session laws	State constitution	Statutes	Administrative rules and regulations	Opens legislative sessions (a)	Enrolls or engrosses bills	Retains copies of bills	Registers lobbyists
Alabama	. . .	. . .	★	★	. . .	★	★	★	. . .	. . .	. . .	. . .	. . .
Alaska (b)	. . .	★	. . .	. . .	. . .	. . .	★	. . .	★	★	. . .	★	. . .
Arizona	. . .	★	★	. . .	★	. . .	★	★	★	. . .	★	★	★
Arkansas	. . .	★	★	★	★	★	★	★	. . .	. . .	. . .	★	★
California	★	★	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .	★	★
Colorado	. . .	★	★	★	★	. . .	★	. . .	. . .	. . .	. . .	. . .	★
Connecticut	★	★	★	★	★	. . .	★	. . .	. . .	S	. . .	★	. . .
Delaware	★	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Florida	★	★	★	★	. . .	. . .	★	. . .	★	. . .	. . .	. . .	. . .
Georgia	★	★	. . .	★	★	★	★	★	★	. . .	. . .	★	★
Hawaii (b)	. . .	★	. . .	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Idaho	. . .	. . .	★	★	★	. . .	★	. . .	. . .	. . .	. . .	★	★
Illinois	★	★	★	★	★	★	★	. . .	★	H	. . .	★	★
Indiana	. . .	★	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	★
Iowa	. . .	. . .	★	★	★	. . .	★	. . .	. . .	. . .	. . .	★	. . .
Kansas	. . .	★	★	★	★	★	★	. . .	★	★	★	★	★
Kentucky	. . .	. . .	★	★	★	. . .	. . .	★	. . .	. . .	. . .	. . .	. . .
Louisiana	. . .	. . .	. . .	★	★	★	★	★	. . .	. . .	. . .	★	. . .
Maine	★	★	★	★	★	. . .	★	. . .	. . .	. . .	. . .	★	★
Maryland	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .	★	. . .	. . .	★	. . .
Massachusetts	★	★	★	★	★	★	★	★	★	. . .	. . .	★	★
Michigan	★	★	★	. . .	★	. . .	. . .	. . .	. . .	. . .	★	★	★
Minnesota	. . .	★	★	★	★	. . .	★	. . .	. . .	H	. . .	★	. . .
Mississippi	★	★	★	★	★	★	★	★	★	. . .	★	★	★
Missouri	★	★	★	★	★	★	★	. . .	★	★	. . .	★	. . .
Montana	★	★	★	★	★	. . .	★	. . .	★	H	. . .	★	. . .
Nebraska	★	★	★	★	★	★	★	. . .	. . .	. . .	★	★	. . .
Nevada	. . .	★	★	★	. . .	. . .	. . .	. . .	. . .	H	. . .	★	. . .
New Hampshire	★	. . .	★	★	★	. . .	★	. . .	. . .	. . .	★	★	★
New Jersey	★	. . .	★	★	★	. . .	★	. . .	. . .	. . .	. . .	★	. . .
New Mexico	. . .	. . .	★	★	★	★	★	★	. . .	H	. . .	★	★
New York	★	★	★	★	★	. . .	★	. . .	★	. . .	. . .	. . .	. . .
North Carolina	. . .	. . .	★	★	★	★	★	. . .	. . .	. . .	. . .	★	★
North Dakota	. . .	★	★	★	★	★	. . .	. . .	★	. . .	. . .	. . .	★
Ohio	. . .	★	★	★	★	★	★	. . .	. . .	. . .	. . .	★	. . .
Oklahoma	. . .	. . .	★	★	. . .	★	. . .	. . .	. . .	. . .	. . .	★	. . .
Oregon	★	★	★	★	★	. . .	. . .	. . .	★	. . .	. . .	★	. . .
Pennsylvania	. . .	. . .	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	★	. . .
Rhode Island	★	★	★	★	★	. . .	★	. . .	★	. . .	. . .	★	★
South Carolina	. . .	. . .	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	★
South Dakota	. . .	★	★	★	★	. . .	★	. . .	. . .	H	. . .	★	★
Tennessee	★	★	★	★	★	★	★	★	★	. . .	. . .	★	. . .
Texas	. . .	★	★	★	★	★	. . .	. . .	★	H (c)	. . .	★	★
Utah (b)	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .	★	★
Vermont	★	★	★	★	★	★	★	. . .	. . .	H (c)	. . .	★	★
Virginia	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Washington	★	. . .	. . .	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
West Virginia	★	★	★	★	. . .	. . .	. . .	. . .	★	. . .	. . .	★	. . .
Wisconsin	★	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Wyoming	. . .	★	★	★	★	. . .	★	. . .	. . .	H	. . .	★	. . .
Guam (b)	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Puerto Rico	. . .	★	. . .	★	. . .	★	★	★	. . .	. . .	. . .	. . .	. . .
U.S. Virgin Islands (b)	. . .	★	★	★	. . .	. . .	. . .	★	. . .	. . .	★	★	. . .

Source: The National Association of Secretaries of State, *Secretary of State: The Office and Duties*, 1991.

Key:

★ — Responsible for activity

. . . — Not responsible for activity

(a) In this column only: ★ — Both houses; H — House; S — Senate.

(b) No secretary of state. Duties indicated are performed by lieutenant governor.

(c) Until speaker is elected.

THE ATTORNEYS GENERAL, 1990-91

By Jeffrey L. Amestoy

Powers and Responsibilities of Attorneys General

As chief legal officers of the states, commonwealths and territories, the attorneys general serve as counselors to state government agencies and legislatures, and as representatives of the public interest. It is often said that attorneys general occupy the intersection of law and public policy, dealing in areas as diverse as child support enforcement, drug policy and environmental protection.

The rise of federalism during the 1980s has meant a considerable expansion in the powers and responsibilities of attorneys general. In many areas traditionally considered the exclusive responsibility of the federal government, the attorneys general now share enforcement authority. Indeed, a major trend of the last several years has been the cooperative working relationships the attorneys general have forged with their federal counterparts, particularly in the areas of trade regulation, environmental enforcement and criminal justice.

Typical powers of the attorneys general, while varying from one jurisdiction to the next due to statutory and constitutional mandates, include the authority to: institute civil suits; represent state agencies; defend and/or challenge the constitutionality of legislative or administrative actions; enforce open meetings and records laws; revoke corporate charters; enforce antitrust prohibitions against monopolistic enterprises; enforce air, water pollution and hazardous waste laws; handle criminal appeals and serious state-wide criminal prosecution in a majority of states; intervene in public utility rate cases; and enforce the provisions of charitable trusts.

Defending the State

The attorney general is the managing partner of the state's public law firm. Over the years, as the roles and responsibilities of the office have substantially increased, attorneys general have met the challenge by building professional teams of employees capable of handling the full range of the states' legal needs. On average, about 75 percent of an attorney general's budget is tied up in people. Altogether, the offices employ nearly 9,000 attorneys.[1]

The offices that typically handle all major civil matters for the state, and in the majority of states have criminal appeals responsibilities, have seen the work load per attorney increase exponentially in the last decade. Good management, aggressive use of technology in many states, and innovations in dispute resolution have helped increase capacities, but many offices are stretched thin. With budget cutbacks, states are having to make painful decisions, some of which may result in higher legal costs in the years ahead.

Recruitment and retention of seasoned attorneys poses another challenge given the wide disparity between the salaries of public and private sector employees. Starting salaries for attorneys are $30,000 or less in 39 offices of attorneys general, whereas the median starting salary for 1990 law school graduates entering law firms was $50,000.[2] And while the average salary for lawyers in attorneys general offices is $43,672, the mean annual income for private-sector attorneys (not including those in law firms) is $93,400.[3]

Retaining seasoned personnel takes on even greater importance as the practice of law becomes increasingly specialized. With the growth of issues relating to complex federal statutes in areas such as Medicaid, bankruptcy and the environment, for example, the

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stakes for states and their citizens are substantial.

Preservation of State Fiscal Resources

The administration and control of public resources is an important function for most attorneys general. Responsibilities in this area can include regulation of state contracts, real estate transactions, surety bonds, and revenue bonds, and service on boards and commissions that set financial policies. As the state's lawyer, most attorneys general also have authority to enhance state revenues through collection activities and to defend the state against claims for monetary awards.[4]

In most states, the attorney general's approval is required on contractual transactions to ensure conformity with state law. A majority of jurisdictions require approval of the attorney general on some or all conveyances or contracts regarding real estate. At least 20 jurisdictions require the attorney general's approval on all or some surety bonds. Although responsibilities vary, most attorneys general serve as bond counsel or approving authority for some or all state or local bond issues.[5]

Nearly all attorneys general have substantial authority over the collection of monies owed the state. Collection duties include recovering delinquent taxes, student loans and overpayments of welfare benefits, and appearances in bankruptcy courts to protect states' interests.[6]

Some attorneys general either administer or represent the agency responsible for administering the state's Child Support Enforcement Program. Under the program, applicants for Aid to Families with Dependent Children (AFDC) assign their child support rights to the state when receiving assistance and agree to cooperate with the designated enforcement agency in securing child support. Establishing paternity and collecting child support reduces the cost of the AFDC program to the states and frees many families from future welfare dependency. These services also are available to persons not receiving public assistance upon payment of a fee.[7]

Most attorneys general are responsible for representing all state officials and employees who are the subject of civil litigation resulting from activities within the scope of their employment, when the employee so requests. In many jurisdictions, the attorney general is not authorized to represent state officers if their actions were willful, wanton, malicious, grossly negligent or in bad faith. In all states, representation is limited to actions arising out of the officer's official duties. In almost half the states, the attorney general has independent authority to settle claims against the state; in others, the attorney general has joint settlement authority with the governor, department of finance, department of risk management or client agency.[8]

Public Protection

State attorneys general have traditionally served as defenders of the public interest, working to preserve and protect the rights of their states' citizens in the marketplace. In the mid-to-late-1980s, the attorneys general significantly broadened the scope of their activities, moving into areas where the federal presence was diminished due to deregulation. During this time, attorneys general found a powerful tool in multistate task forces, which allowed them to pool resources, share costs and increase their influence. After a number of successful multistate cases, the attorneys general became known as a leading national force in the antitrust enforcement and consumer protection arenas.[9]

The role of the attorneys general on the national scene has continued into the 1990s and has been enhanced by a renewed spirit of federal-state cooperation. Formal working groups have been established that regularly bring attorneys general together with their counterparts in the Federal Trade Commission (FTC) and U.S. Department of Justice. Through these working groups and ad-hoc partnerships, state and federal law enforcement authorities regularly share information and coordinate enforcement action, resulting in more efficient and effective service to the public.

In the area of antitrust enforcement, the attorneys general have emerged as a "de facto third national antitrust enforcement agency," augmenting the federal efforts of the Antitrust Division of the U.S. Department of Justice and the Federal Trade Commission's Bureau of Competition.[10] Much of the states' antitrust activity is coordinated through the National Association of Attorneys General (NAAG) Multistate Antitrust Task Force, which allows all offices to benefit from the resources of those with the largest antitrust staffs.

Through task force-coordinated actions in recent years, the attorneys general have had particular success combating alleged price fixing by major electronics manufacturers, halting practices that limit choice in the marketplace while recovering millions of dollars in restitution for injured consumers. The attorneys general charged Mitsubishi Electronics America, Inc., with attempting to enlist electronics retailers in a nationwide conspiracy to fix the price of certain television set models and won $7.95 million in refunds for consumers.[11] This case is believed to be the first instance in which all 50 states filed separate actions in a single court on the same day.[12] In a similar price fixing case, 50 attorneys general reached a $25 million settlement with Nintendo of America, Inc., which allegedly colluded with electronics dealers to set minimum prices for home-video consoles.[13] The Nintendo case represented an important milestone in federal-state cooperation, as the Federal Trade Commission simultaneously reached a similar settlement.[14]

In an ongoing court battle, a group of 19 attorneys general are pursuing a lawsuit through the federal courts against 32 American and foreign insurance companies. Originally filed in 1988, the suit charges the industry with conspiring to limit liability coverage and drive up rates for businesses and state and local governments. According to the attorneys general, the alleged activity amounts to an illegal boycott that limits the availability of liability insurance in the U.S. The most recent action in the case came in 1991 when a federal appeals court rejected the insurance industry's contention that it was exempt from antitrust law. Significantly, the U.S. Department of Justice filed a brief supporting the position of the attorneys general.[15]

In other action, the attorneys general gained a powerful weapon against anticompetitive mergers when the U.S. Supreme Court ruled unanimously in 1990 to grant states the authority to attack mergers that have already received federal approval.[16] In another significant case 14 attorneys general charged credit card companies Visa and Mastercard with conspiring to monopolize the newly-emerging debit card industry, obtaining a settlement that halted the companies' planned joint venture, which the attorneys general contended was an attempt to keep other companies from entering the market.[17]

The attorneys general also have been active on the consumer protection front. A 10-state task force, dubbed by the media as the "Food Cops," has brought a series of suits that stopped such companies as Nabisco, Kellogg, Quaker Oats and Campbell Soup from misleading the public about unsubstantiated health benefits of some of their products.[18] An 11-state task force has reached agreements with Procter & Gamble, Mobil Corporation and other manufacturers over unsubstantiated claims of "environmental friendliness."[19] In 1991, the so-called Green Marketing Task Force issued recommendations for responsible environmental advertising and has urged the federal government to adopt national standards that will result in consistent and truthful advertising giving consumers enough information to weigh the environmental safety of products they buy.[20]

A task force of seven attorneys general investigated the mortgage lending industry in 1990 and accused the nation's lenders of charging homeowners billions of dollars in excess escrow payments in violation of federal law.[21] Their work was the basis of a successful suit, eventually joined by 12 other attorneys general, against industry giant GMAC Mortgage Corporation, which agreed in a settlement to refunds and reduced mortgage payments of approximately $100 million for virtually all of its 380,000 customers nationwide.[22] In March 1991, a nine-state task force produced "The 900 Report," which analyzed fraud in the growing pay-per-call industry.[23] The task force's work was later taken up by a specially appointed NAAG Subcommittee, which issued a set of recommendations that were largely adopted by the Federal Communications Commission in a September 1991 rulemaking governing 900-number services.[24]

Outside of formal task forces, the attorneys general frequently band together to work on specific cases. A group of 19 attorneys general obtained a major settlement with credit reporting agency TRW Inc., which agreed to a series of reforms designed to improve the accuracy of credit reports and to make the company more accountable to consumers.[25] A similar settlement was reached between the company and the FTC. And in an ongoing battle with the airline industry, the U.S. Supreme Court heard arguments in March 1992 over whether the attorneys general are preempted under federal law from suing airline companies for false advertising of fares.[26]

Looking to the future, the attorneys general are focusing increasing attention on certain vulnerable populations, particularly children and the elderly. In late 1991, a new NAAG Subcommittee on Children and the Law began looking at such issues as child care, child welfare, missing and exploited children, and child support enforcement. Separate subcommittees also were set up to deal with civil rights and consumer protection issues associated with the growing elderly population, particularly in areas such as long-term health care and fraud targeted toward the elderly.

Environmental Enforcement

Late in 1989, the National Association of Attorneys General released a report titled *Environmental Protection in the 1990s: Recommendations of the Attorneys General to the New Administration*. The introduction to that document contained the proposition that "[a]mong the most essential rights guaranteed to us by law is the right to a clean, safe and healthful environment." State attorneys general, historically charged with the duty of protecting the public interest, often have played a key role in protecting the environment and natural resources on behalf of the citizens of their states.[27]

As the report notes, the past two decades witnessed both the expansion of federal environmental legislation in the 1970s as well as the reemergence of the states — and their attorneys general — in the vanguard of the fight to protect the environment. The report also points out that a major challenge in the 1990s will be to define the appropriate roles of the state and federal governments in a way that promotes effective and efficient environmental programs and utilizes the strengths of both levels of government.

In 1990, a *Harvard Environmental Law Review* Symposium volume containing seven articles by state attorneys general captured a small sampling of the wide variety of environmental enforcement issues confronting attorneys general in the 1990s, among them: wildlife habitat protection through statewide land use regulation; the state role in outer continental shelf oil and gas leasing, chemical accident prevention, and natural resource damage litigation; criminal environmental enforcement; and recovery of costs expended by states to abate asbestos contamination.[28]

Attorneys general have worked together on a number of important environmental protection initiatives in the past few years. They joined forces in 1990 with the National Governors' Association in a special task force that found widespread environmental abuses at thousands of federally-owned facilities, most of them under the authority of the departments of Energy and Defense.[29] The report cited contamination problems from past hazardous waste disposal practices at federal facilities as well as continued noncompliance with current environmental laws. It also chronicled the difficulties that both the Environmental Protection Agency and the states have encountered in attempting to enforce environmental laws at these facilities. Attorneys general continue to champion through litigation, legislative proposals and negotiation, the right of states to enforce compliance with the environmental laws by federal facilities located in their states.[30]

The scheduled closure of at least 90 military bases across the country under the Base Closure and Realignment Act of 1988 (P.L.

100-526) presents another emerging federal facilities issue that will require the combined resolution of significant legal, political and economic issues in order to expeditiously transfer the closed bases to productive non-military uses. Because the federal Superfund law requires the cleanup of all environmental contamination at many of these bases before the property can be transferred by the federal government, environmental law will play an important role. The New Hampshire attorney general's recent experience with one of the first base closures at Peas Air Force Base indicates that attorneys general will play a crucial role in resolving these complex issues. The Texas attorney general represented NAAG on a Base Closure Task Force formed by the U.S. Department of Defense, which recently issued a report discussing some of the major issues that federal, state and local governments can expect to encounter during the base closure process.[31]

Cleaning up sites contaminated by hazardous substances under the federal Superfund law and state cleanup laws will continue to be a major environmental challenge for the 1990s. Addressing the contamination risks posed by the indiscriminate disposal practices of the past has proven to be an enormous and complex task. However, the joint efforts of federal and state governments to compel responsible parties to bear the costs of cleaning up contamination has resulted in a significant beneficial side-effect.

Fear of Superfund liability has created a tremendous incentive for owners and operators of industrial and commercial facilities to carefully manage or reduce the amounts of hazardous substances they use to avoid future contamination problems. Lenders, insurers and property owners with a financial stake in the facility share in the concern that the facility properly manage hazardous substances to avoid potential liability. Few of these parties had even considered undertaking an "environmental audit" of the commercial or industrial facilities they dealt with prior to the mid-1980s. Today, thanks in large part to Superfund's "polluter pays" principle, environmental audits designed to check for past contamination and to ensure current sound environmental management practices are a routine and integral part of commercial transactions involving facilities where hazardous substances are handled.

Perhaps the largest of all upcoming "environmental challenges" for state governments and attorneys general will be the implementation and enforcement of the 1990 Clean Air Act Amendments. Like most federal environmental legislation, the 1990 amendments envision that the federal government will set national standards and provide oversight and technical or financial assistance, while states will be primarily responsible for implementing and enforcing most of the new requirements. The amendments are sweeping in breadth, covering many previously unregulated small air pollution sources, and ambitious in their pace, setting short time schedules for completion of federal regulations and state implementation plans. The amendments also introduce novel market-based emissions trading concepts and "early-reductions" incentives that are likely to raise new implementation and enforcement issues.

Many attorneys general continue to lead the way or play central roles in joint federal-state-local criminal environmental enforcement efforts. Several also have been in the forefront in pollution prevention and toxic use reduction. The interrelationship between bankruptcy and environmental cleanup obligations; interstate transportation of solid and hazardous wastes; the U.S. Nuclear Regulatory Commission's proposed "Below Regulatory Concern" policy that would deregulate many low-level radioactive wastes; and oil spill litigation are among the myriad issues that continue to require the diligent attention of attorneys general and their staff as they fulfill their responsibility to protect and defend the public's right to a clean and healthful environment.

Criminal Justice

Most attorneys general play a vital role in investigating and prosecuting criminal activity and in defending convictions on appeal. More than half of them have authority to initiate criminal prosecutions, particularly in such areas as organized crime, white collar crime and Medicaid fraud. Almost all attorneys general have the power to intervene or assist in cases initiated by local prosecutors.[32]

The war on drugs has been a high priority for the law enforcement community in recent years, and the attorneys general have had a substantial role in drug enforcement and education. A number of them participate in or lead multi-jurisdictional task forces through which state and local prosecutors and police coordinate enforcement activity. About one-third of the states convene statewide grand juries, often operating out of the attorney general's office, to investigate and indict complex drug conspiracy organizations that may be beyond the limited resources of an individual prosecutor's office. The attorneys general also frequently team up with federal officials, including U.S. Attorneys and agents of the FBI, Customs Service and Drug Enforcement Agency, through so-called Law Enforcement Coordinating Committees. Federal-state-local law enforcement efforts are further enhanced by the activities of the Executive Working Group on Prosecutorial Relations, an inter-jurisdictional body that meets regularly to identify mutual concerns and promote cooperation.[33]

The attorneys general also have made effective use of civil remedies in attacking criminal enterprises, particularly drug trafficking organizations. Statutes governing asset forfeiture, civil RICO (Racketeer Influenced and Corrupt Organizations) and, most recently, money laundering have become powerful weapons state prosecutors use to dismantle criminal organizations and seize the proceeds from their crimes. NAAG has established a Financial Crimes and Civil RICO project which, under a grant from the U.S. Department of Justice, provides training and technical assistance to attorneys general offices and coordinates the activities of four RICO drug prosecution demonstration sites.[34]

More than half of the attorneys general have responsibility for investigating fraud in the Medicaid Program, the joint federal-state program that funds health services for the poor. Through the Medicaid Fraud Control Units, most of which are operated by attorneys general offices, millions of dollars in restitution and penalties have been recovered from doctors, pharmacists, nursing home administrators, hospital officials and other providers who bilk the system. Typical schemes include billing for services not performed, double billing and billing for more expensive procedures than were performed. The fraud units also investigate allegations of patient abuse and neglect in health care facilities that receive Medicaid funds. The attorneys general have advocated specific criminal state statutes to define clearly the duty of health care facilities to protect their patients from harm and neglect and to impose penalties for the failure to carry out that duty.[35]

A major concern of attorneys general in recent years has been reform of the federal habeas corpus process, which many believe allows prison inmates to prolong the appeals process unreasonably by filing successive petitions for review of their convictions. Through NAAG, the attorneys general have adopted, and advocated before Congress, positions favoring the passage of legislation that would reform the federal habeas process to promote the finality of state court judgements, expedite decisions in federal habeas proceedings, and reduce the amount of relitigation of state court criminal cases. In other legislative activity, NAAG has urged Congress to increase federal funding for state and local law enforcement efforts, and has called for passage of the Violence Against Women Act, which would create new penalties for gender-based crimes, labeling them as "hate" crimes, and would extend civil rights protections to victims of gender-based crime.

U.S. Supreme Court Practice

The attorneys general are the primary representatives of states and their interests in the Supreme Court of the United States. Second only to the U.S. Solicitor General in frequency of appearance before the Court, attorneys general offices typically argue approximately one-third of the cases heard by the Justices during any given term.[36]

Of the approximately 5,000 cases filed with the Court each year, only about 150 petitions for *certiorari* are granted. In making its selection of cases to hear, the court searches for those that raise questions of national interest and through which it can articulate coherent national legal policy, not cases in which lower courts merely have made incorrect rulings. Thus, advocates before the Supreme Court are called upon to argue for broad legal principles and not for fact-specific outcomes. As a state's primary legal representative, an attorney general is required to advocate policy choices that will be most beneficial to the citizens of his or her state, despite individual political views or the impact on those directly affected by the case.

Over the past several terms, the policy issues involving the states that have dominated the Supreme Court's agenda have been in the areas of criminal law, property rights and taxation. The allocation of power between the states and the federal government also has been important. For instance, the federal government's ability to impose conditions on federal grants to the states has been upheld, allowing the United States to mandate a minimum drinking age as a condition of receiving highway funding,[37] and regulating information dispensed to patients at federally funded clinics.[38]

More recently, the 1990-91 term yielded decisions in criminal law that allow states to use testimony by crime victims or their relatives in sentencing procedures,[39] and allow the use of confessions made to a defendant's cellmate or other informant.[40] The 1991-92 term is expected to continue the court's interest in property rights and the states' ability to tax. A decision is expected on whether a party must be compensated when regulations eliminate his/her ability to make use of his/her property.[41] Also anticipated are rulings on whether direct mail revenue may be taxed by the states,[42] and whether the states may tax pensions of military retirees while exempting those of other federal retirees.[43] The Court is continuing its interest in criminal law, focusing on decisions that affect the use of habeas corpus petitions to appeal criminal convictions.[44] Finally, of primary importance to the states is a decision on the degree of powers reserved to the states by the 10th Amendment.[45]

Keenly aware of their unique responsibility to the citizens of their states, during the 1980s the attorneys general undertook to enhance the quality of their representation at the Supreme Court — through improved communication among one another and with the U.S. Solicitor General, and through an information clearinghouse operated by NAAG, which helps facilitate the distribution of news about the court. Attorneys general also have become more adept at advocating their states' interests at the court through the development of a Supreme Court Practice Seminar and a Moot Court Program, both conducted by NAAG.

The two-day Supreme Court Practice Seminar covers written and oral advocacy at the court, while the Moot Court Program allows those attorneys general and their staff who are set to argue a case before the court to hold a dry run in front a panel of legal experts. Since the program's inception, more than 400 exercises for 50 states have been conducted (several more than once), with more than 38 attorneys general and numerous staff lawyers participating. These numbers illustrate the commitment of the attorneys general to enhancing their advocacy skills and improving the representation of their citizens before the court.

Notes

[1] Robert Biesenbach, *Statistics on the Office of Attorney General* (Washington, DC: National Association of Attorneys General, 1992).

[2] *Employment Report and Salary Survey, Class of 1990* (Washington, DC: National Association for Law Placement, 1991).

[3] *Compensation in Legal and Related Jobs (Non-Law Firms)*, 13th Edition (Crete, IL: Abbott, Langer and Associates, 1991).

[4] Lynne Ross, *State Attorneys General: Powers and Responsibilities* (Washington, DC: National Association of Attorneys General, 1990), 100-109.

[5] Ross, 100-102.

[6] Ross, 102-103.

[7] Ross, 103-105.

[8] Ross, 105-107.

[9] See "States Are Taking Lead on Consumer Protection," *New York Times* (February 8, 1988); "Attorneys General Flex Their Muscles — State Officials Join Forces to Press Consumer and Antitrust Concerns," *Wall Street Journal* (July 13, 1988); "Why the States Are Ganging Up on Some Giant Companies," *Business Week* (April 11, 1988).

[10] From remarks by Connecticut Assistant Attorney General Robert M. Langer, Chair of the NAAG Multistate Antitrust Task Force, before the 25th New England Antitrust Conference in Cambridge, Mass., October 25, 1991, as reprinted in 7 TRADE REGULATION REPORTER (CCH) ¶ 50,068.

[11] *Antitrust Report* (Washington, DC: National Association of Attorneys General, April/May 1991).

[12] Langer.

[13] "Nintendo's Latest Novelty is a Price-Fixing Settlement," *Wall Street Journal* (April 11, 1991).

[14] Langer.

[15] "Court Revives Antitrust Suit Against Insurers," *Wall Street Journal* (June 19, 1991); "Court Ruling Sets Back Insurers," *New York Times* (June 19, 1991).

[16] *California v. American Stores*, Supreme Court Case No. 89-258. See also "The Merger Parade Runs into a Brick Wall," *Business Week* (May 14, 1990), 38; and "States Gain Power to Pursue Antitrust Cases," *Wall Street Journal* (May 1, 1990).

[17] "Visa and Mastercard Cancel Card Venture," *New York Times* (May 9, 1990).

[18] See Marian Burros, "Eating Well," *New York Times* (February 27, 1991). Also, *Consumer Protection Report*, a monthly newsletter published by the National Association of Attorneys General, details these and other consumer protection cases brought by Attorneys General.

[19] "States Seek to Control Environmental Claims," *New York Times* (November 8, 1990).

[20] "The Green Report II: Recommendations for Responsible Environmental Advertising" (May 1991). Available from the Office of the Minnesota Attorney General, 102 State Capitol, St. Paul, Minn. 55155.

[21] The report, "Overcharging on Mortgages: Violations of Escrow Account Limits by the Mortgage Lending Industry" (April 24, 1990), is available from the office of the New York Attorney General, 120 Broadway, 25th Floor, New York, NY 10271.

[22] *Consumer Protection Report* (January 1992).

[23] The "900 Report" and recommendations of the 900 Number Subcommittee are available from the National Association of Attorneys General, 444 North Capitol Street, Washington, DC 20001.

[24] CC Docket 91-65.

[25] "TRW Settles Lawsuit with FTC, 19 States," *Washington Post* (December 11, 1991).

[26] *Morales v. Trans World Airlines*, Supreme Court Case No. 90-1604.

[27] For a general discussion of the traditional and evolving roles of state attorneys general in environmental and natural resource areas of law, see *State Attorneys General: Powers and Responsibilities* (Washington, DC: National Association of Attorneys General, 1990), chs. 10-12. For a more detailed discussion of the role of states and attorneys general in environmental law, see *Attorneys General Guide to Environmental Law* (Washington, DC: National Association of Attorneys General, 1990).

[28] "Symposium, State Environmental Perspectives," Articles from State Attorneys General, 14 *Harvard Environmental Law Review* (1990).

[29] *From Crisis to Commitment: Environmental Cleanup and Compliance at Federal Facilities*, (Washington, DC: National Governors' Association/National Association of Attorneys General, January 1990).

[30] Although nearly all major federal environmental statutes contain waivers of sovereign immunity requiring federal agencies to comply with the requirements of those laws to the same extent as non-governmental entities, the federal government has resisted efforts of states to enforce those laws by asserting narrow readings of those waivers. Recently, the Ohio Attorney General's office argued before the U.S. Supreme Court the question of whether the sovereign immunity waivers found in the federal Clean Water Act and the Resource, Conservation and Recovery Act (RCRA) are sufficiently broad to allow states to impose fines and penalties against federal facilities for noncompliance with those laws. See *State of Ohio v. U.S. Dept. of Energy*, 904 F.2d 1058 (6th Cir. 1990), cert. granted, 111 U.S. 2256 (1991), argued December 3, 1991 (Nos. 90-1341 and 90-1517).

[31] *Report of the Defense Environmental Response Task Force* (October 1991).

[32] Lynne Ross, *State Attorneys General: Powers and Responsibilities* (Washington, DC: National Association of Attorneys General, 1990), 278.

[33] Ross, 286-289. Also, see "Strengthening the National Drug Control Strategy: Ideas and Initiatives from State Attorneys General" (Washington, DC: National Association of Attorneys General, 1990).

[34] The NAAG Financial Crimes and Civil RICO Project publishes a bi-monthly newsletter,

titled *Civil Remedies in Drug Enforcement Report*, which reports on the use of state RICO, forfeiture, money laundering and related civil statutes in drug enforcement.

[35] *Guidelines and Commentary for Legislation to Prohibit Patient and Resident Abuse* (Washington, DC: National Association of Attorneys General and National Association of Medicaid Fraud Control Units (NAMFCU), September 1988). Also, the NAMFCU publishes a monthly newsletter, titled *Medicaid Fraud Report*, which reports on the activities of the Medicaid Fraud Control Units. For information, contact NAMFCU executive director Barbara Zelner at 444 North Capitol Street, Washington, DC: 20001.

[36] Statistics available for the 1990 term show that out of 116 hours of oral argument before the Court, state attorneys general argued 35. Although the Supreme Court appears to be downsizing its caseload during the 1991 term, the proportion of cases requiring the appearance of state attorneys general is expected to remain at the same level or increase.

[37] *South Dakota v. Dole*, 107 S.Ct. 2793 (1987).

[38] *Rust v. Sullivan*, 111 S.Ct. 1759 (1991).

[39] *Payne v. Tennessee*, 111 S.Ct. 2597 (1991).

[40] *Arizona v. Fulminante*, 111 S.Ct. 1246 (1991).

[41] *Lucas v. South Carolina Coastal Council*, Supreme Court Case No. 91-453.

[42] *Quill v. North Dakota*, Supreme Court Case No. 91-194.

[43] *Barker v. Kansas Dep't of Revenue*, Supreme Court Case No. 91-611.

[44] *See, e.g., Estelle v. McGuire*, Supreme Court Case No. 90-1074, and *Stringer v. Black*, Supreme Court Case No. 90-6616.

[45] While the majority opinion in the most recent case on the subject, *Garcia v. San Antonio Metro. Transp. Auth.*, 469 U.S. 528 (1985), held that those powers reserved to the states by virtue of the 10th Amendment could be protected only by the states' elected representatives in Congress, the dissent by Chief Justice Rehnquist and Justice O'Connor indicates that they expect the ruling to change with changes in court composition. *New York v. United States*, Supreme Court Case No. 91-543, may help settle the issue.

Table 2.17
ATTORNEYS GENERAL: QUALIFICATIONS FOR OFFICE

State or other jurisdiction	*Minimum age*	*U.S. citizen (years)*	*State resident (years)*	*Qualified voter (years)*	*Licensed attorney (years)*	*Membership in the state bar (years)*	*Method of selection to office*
Alabama	25	7	5	...	...	...	E
Alaska	...	★	...	...	...	...	A
Arizona	25	10	5	...	...	...	E
Arkansas	18	★	★	★	...	...	E
California	18	...	...	...	(a)	(a)	E
Colorado	25	★	2	...	★	(b)	E
Connecticut	18	★	★	★	10	10	E
Delaware	...	...	...	...	...	...	E
Florida	30	...	7	★	5	5	E
Georgia	25	10	4	...	7	7	E
Hawaii	...	★	1	...	(c)	...	A
Idaho	30	★	2	...	★	★	E
Illinois	25	★	3	...	...	...	E
Indiana	...	...	(d)	...	★	...	E
Iowa	...	...	...	...	...	...	E
Kansas	...	...	...	...	...	...	E
Kentucky	30	2	2 (d)	...	8	2	E
Louisiana	25	5	5 (d)	★	5	5	E
Maine	...	...	...	...	...	...	(e)
Maryland	...	★ (f)	10 (d)	★	10	10 (c)	E
Massachusetts	...	...	5	...	...	★	E
Michigan	18	...	30 days	★	...	...	E
Minnesota	21	★	30 days	★	...	...	E
Mississippi	26	...	5 (d)	...	5	5	E
Missouri	...	★	1	...	...	...	E
Montana (g)	25	★	2	...	5	★	E
Nebraska (h)	21 (c)	...	(c)	...	(c)	...	E
Nevada	25	★	2 (d)	★	...	...	E
New Hampshire	...	...	...	...	★	★	A
New Jersey	18 (c)	...	★	...	★	★	A
New Mexico	30	...	5	...	...	...	E
New York	30	★	5	...	(c)	...	E
North Carolina	21	...	...	★	★	(c)	E
North Dakota	25	★	★	★	...	...	E
Ohio	18	★	★	★	...	...	E
Oklahoma	31	★	10	10	...	...	E
Oregon	18	★	6 mos.	★	...	...	E
Pennsylvania	30	★	7	...	★	★	E
Rhode Island	18	★	★	★	...	...	E
South Carolina	...	...	★	★	...	...	E
South Dakota	...	★	★	...	★	★	E
Tennessee	...	...	...	...	...	...	(i)
Texas	...	...	...	...	★	★	E
Utah	25	...	5 (d)	★	★	★	E
Vermont	...	...	...	...	...	...	E
Virginia	30	★	5 (j)	...	...	5 (j)	E
Washington	...	...	...	...	...	★	E
West Virginia	25	★	5 (d)	★	...	...	E
Wisconsin	...	★	★	...	...	...	E
Wyoming	...	...	★	★	4	4	A
American Samoa	...	★	...	...	...	...	A
Guam	...	...	...	...	...	...	A
No. Mariana Islands	...	...	3	...	5	...	A
Puerto Rico	21 (c)	★	...	...	(c)	(c)	A
U.S. Virgin Islands	...	★	...	...	(k)	...	A

Source: The Council of State Governments' survey, February 1992.

Note: This table contains constitutional and statutory provisions. "Qualified voter" provision may infer additional residency and citizenship requirements.

Key:

★ — Formal provision; number of years not specified.

. . . — No formal provision.

A — Appointed by governor.

E — Elected by voters.

(a) No statute specifically requires this, but the State Bar act can be interpreted as making this a qualification.

(b) Licensed attorneys are not required to belong to the bar association.

(c) Implied.

(d) State citizenship requirement.

(e) Chosen biennially by joint ballot of state senators and representatives.

(f) *Crosse* v. *Board of Supervisors of Elections* 243 Md. 555, 2221A. 2d431 (1966)—opinion rendered indicated that U.S. citizenship was, by necessity, a requirement for office.

(g) No person convicted of felony is eligible to hold public office until final discharge from state supervision.

(h) No person in default as a collector and custodian of public money or property shall be eligible to public office; no person convicted of a felony shall be eligible unless restored to civil rights.

(i) Appointed by judges of state Supreme Court.

(j) Same as qualifications of a judge of a court of record.

(k) Must be admitted to practice before highest court.

Table 2.18
ATTORNEYS GENERAL: PROSECUTORIAL AND ADVISORY DUTIES

	Authority in local prosecutions:				*Issues advisory opinions:*					*Reviews legislation:*	
State or other jurisdiction	*Authority to initiate local prosecutions*	*May intervene in local prosecutions*	*May assist local prosecutor*	*May supersede local prosecutor*	*To state executive officials*	*To legislators*	*To local prosecutors*	*On the interpretation of statutes*	*On the constitutionality of bills or ordinances*	*Prior to passage*	*Before signing*
Alabama	A	A,D	A,D	A	★	★	★	★	★	★	. . .
Alaska	(a)	(a)	(a)	(a)	★	★	. . .	★	★	★	★
Arizona	A,B,C,D,F	B,D	B,D	B	★	★	★	★	★	★	. . .
Arkansas	. . .	D	D	. . .	★	★	★	★	★	. . .	. . .
California	A,B,D,E,F	A,B,D,E	A,B,D,E	A,B,D,E	★	★	★	★	★	★	★
Colorado	B,F	B	D,F (b)	B	★	★	★	★	★	★	★
Connecticut	. . .	. . .	. . .	. . .	★	(c)	. . .	★	★	★	★
Delaware	(a)	(a)	(a)	(a)	★	★	(a)	★	★	★	★
Florida	F (b,d)	D (b,d)	D	. . .	★	★	★	★	. . .	★	★
Georgia	A,B,F	A,B,D,G	A,B,D,F	B	★	(e)	★	★	. . .	★	★
Hawaii	E	A,D,G	A,D	A,G	★	★	★	★	★	★	★
Idaho	A,D,F	A	A,D	A	★	★	★	★	. . .	★	★
Illinois	D,F	D,F	D,F	F	★	★ (f)	★	★	★	(g)	(g)
Indiana	F (b)	. . .	A,D,E,F	G	★	★	. . .	★	★	. . .	★
Iowa	D,F	D	D	. . .	★	★	★	★	★	★	★
Kansas	A,B,C,D,F	A,D	D	A,F	★	★	★	★	★	(g)	(g)
Kentucky	A,B	B,D	B,D,F	G	★	★	★	★	★	★	. . .
Louisiana	G	G	D	G	★	★	★	★	★	★	★
Maine	A	A	A	A	★	★	. . .	★	★	★	★
Maryland	B,C,F	B,C,D	B,C,D	B,C	★	★	★	★	★	★	★
Massachusetts	A	A	A,D	A	★	★ (h)	★	★	★	(g)	(g)
Michigan	A	A	D	A	★	★	★	★	★	★	★
Minnesota	B	B,D,G	A,B,D	B	★	★ (h)	★	★	. . .	. . .	(g)
Mississippi	B,D,E,F	D	B,D,F	E	★	★	★	★	★	(g)	(g)
Missouri	F	. . .	B	. . .	★	★	★	★	. . .	★	★
Montana	B,C,D,E,F	A,B,C,D,E	A,B,C,D,E,F	A,B,E,F	★	★ (c)	★	★	. . .	★	★
Nebraska	A	A	A,D	A	★	★	★	★	★	. . .	. . .
Nevada	D,F,G (d)	D (d)	(d,i)	G,F	★	. . .	★	★	★ (j)	. . .	. . .
New Hampshire	A	A	A	A	★	. . .	. . .	★	★	★	★
New Jersey	A	A,B,D,G	A,D	A,B,D,G	★	★	★	★	★	★	★
New Mexico	★	. . .	★	. . .	★	★	★	★	★	★	★
New York	B,F	B,E	G	B	★	★ (h)	. . .	★	. . .	. . .	★
North Carolina	. . .	D	D	. . .	★	★	★	★	★	★	. . .
North Dakota	A,G	A,D	A,D	A	★	★	★	★	. . .	. . .	(g)
Ohio	B,C,F	B,F	F	B,C	★	★ (h)	★	★	. . .	. . .	. . .
Oklahoma	B,C,F	B,C	B,C	. . .	★	★	★	★	★	★	★
Oregon	B,F	B,D	B,D	B	★	★	★	★	★	(g)	(g)
Pennsylvania	A,D,F,G	D,G	D	G	★	. . .	. . .	★	. . .	★	★
Rhode Island	A	A	A	. . .	★	★	. . .	★	★	. . .	. . .
South Carolina	A,D (b)	A,D	A,D	. . .	★	★	★	★	★	★	★
South Dakota	A (k)	A	A	A	★	★	★	★	. . .	. . .	. . .
Tennessee	D,F,G (b)	D,G (b)	D	F	★	★	★	★	★	(g)	(g)
Texas	F	. . .	D	. . .	★	★	★	★	★	★	★
Utah	A,B,D,E,F,G	E,G	D,E	E	★	★ (l)	★	★	★	(g)	(g)
Vermont	A	A	A	. . .	★	★	★	★	★	★	★
Virginia	B,F	A,B,D,F	B,D,F	B	★	★	★	★	★	★	★
Washington	B,D,G	B,D,G	D	B	★	★	★	★	★	★	★
West Virginia	. . .	. . .	D	. . .	★	(c)	★	★	★	(e)	(e)
Wisconsin	B,C,F	B,C,D	D	B	★	★	★	★	★ (m)	(e)	(e)
Wyoming	B,D (d),F	B,D	B,D	. . .	★	★	★	★	. . .	★	★
American Samoa	A,E	A,E	A,E	A,E	★	★	. . .	★	★	★	★
Guam	A	. . .	. . .	. . .	★	★	. . .	★	★	(g)	B
No. Mariana Islands	A	. . .	. . .	. . .	★	★	. . .	★	★	★	★
Puerto Rico	A,B,E	A,B,E	A,E	A,B,E	★	★	. . .	★	★	★	★
U.S. Virgin Islands	A (n)	(n)	(n)	(n)	★	★	. . .	★	★	. . .	★

Source: The Council of State Governments' survey, February 1992.

Key:
A — On own initiative.
B — On request of governor.
C — On request of legislature.
D — On request of local prosecutor.
E — When in state's interest.
F — Under certain statutes for specific crimes.
G — On authorization of court or other body.
★ — Has authority in area.
. . . — Does not have authority in area.

(a) Local prosecutors serve at pleasure of attorney general.

(b) Certain statutes provide for concurrent jurisdiction with local prosecutors.

(c) To legislative leadership.

(d) In connection with grand jury cases.

(e) No legal authority, but sometimes informally reviews laws at request of legislature.

(f) Opinion may be issued to officers of either branch of General Assembly or to chairman or minority spokesman of committees or commissions thereof.

(g) Only when requested by governor or legislature.

(h) To legislature as a whole not individual legislators.

(i) Will prosecute as a matter of practice when requested.

(j) On the constitutionality of legislation.

(k) Has concurrent jurisdiction with states' attorneys.

(l) Only when requested by legislature.

(m) Bills, not ordinances.

(n) The attorney general functions as the local prosecutor.

Table 2.19
ATTORNEYS GENERAL: CONSUMER PROTECTION ACTIVITIES, SUBPOENA POWERS AND ANTITRUST DUTIES

State or other jurisdiction	*May commence civil proceedings*	*May commence criminal proceedings*	*Represents the state before regulatory agencies* (a)	*Administers consumer protection programs*	*Handles consumer complaints*	*Subpoena powers* (b)	*Antitrust duties*
Alabama	★	★	. . .	★	★	•	A,B
Alaska	★	★	★	★	★	★	B,C
Arizona	★	. . .	. . .	★	★	★	A,B,D
Arkansas	★	. . .	★	★	★	★	B,C
California	★	★	★	★	★	★	A,B,C,D (c)
Colorado	★	★	★	★	★	•	B,C,D (d)
Connecticut	★	(c)	★	★	. . .	•	A,B,D
Delaware	★	★	★	★	. . .	★	A,B,C
Florida	★	. . .	★	. . .	★	★	A,B,C,D (f)
Georgia	★	★	★	. . .	. . .	•	B,C
Hawaii	★	★	★	★ (e,g)	(g)	★	A,B,C,D
Idaho	★	. . .	★	★	★	•	D
Illinois	★	★	★	★	★	•	A,B,C,D
Indiana	★	. . .	. . .	★	★	. . .	B,C,D
Iowa	★	★	★	★	★	•	A,B,C,D
Kansas	★	★	★	★	★	★	B,C,D
Kentucky	★	★	★	★	★	(c)	A,B,D
Louisiana	★	★	★	★	★	★	A,B,C,D
Maine	★	★	★	★	★	★	A,B,C
Maryland	★	★	★	★	★	★	B,C,D
Massachusetts	★	★	★	★	★	•	A,B,C,D
Michigan	★	★	★	★	★	•	A,B,C,D
Minnesota	★	. . .	★	★	★	•	B,C,D
Mississippi	★	★	★	★	★	•	A,B,C,D
Missouri	★	★	. . .	. . .	★	•	A,B,C,D
Montana	★ (h)	★ (h)	★	. . .	. . .	★	A,B,C,D
Nebraska	★	. . .	★	★	★	•	A,B,C (i),D
Nevada	★	★	. . .	. . .	★	★	A,B,C,D
New Hampshire	★	★	★	. . .	★	•	B,C,D
New Jersey	★	★	★	★	★	★	A,B,C,D
New Mexico	★	★	★	★	★	•	A,B,C,D
New York	★	★	. . .	★	★	★	A,B,C,D
North Carolina	★	. . .	★	★	★	•	A,B,C,D
North Dakota	★	. . .	★	★	★	★	A,B,D
Ohio	★	★	★	★	★	★	A,B,C,D
Oklahoma	★	(e)	(e)	★	★	•	B,D
Oregon	★	★	(c)	★	★	•	A,B,C,D
Pennsylvania	★	★	★	★	★	•	A,B,C,D
Rhode Island	★	★	★	★	★	★	A,B,C,D
South Carolina	★	★	★	. . .	★	•	A,B,C,D
South Dakota	★	★	★	★	★	•	A,B,C,D
Tennessee	★	★	(c)	. . .	. . .	★	A,B,C,D
Texas	★	. . .	★	★	★	•	A,B,D
Utah	★ (i)	. . .	★ (i)	. . .	★ (g)	•	A (j),B,C,D (j)
Vermont	★	★	★	★	★	★	A,B,C,D
Virginia	★	(c)	★	★ (g)	★ (g)	•	A,B,C,D
Washington	★	(e)	★	★	★	•	A,B,D
West Virginia	★	. . .	★	★	★	★	A,B,D
Wisconsin	★	(e)	★	★	★	•	B,C
Wyoming	★	. . .	. . .	★	★	. . .	. . .
American Samoa	★	★	★	★	★	★	. . .
Guam	★	★	★	★	★	•	A,B,C,D
No. Mariana Islands	★	★	★	★	★	★	B,C,D
Puerto Rico	★	★	★	★ (e)	★ (e)	★	A,B,C
U.S. Virgin Islands	★	★ (k)	★	. . .	. . .	•	B (l),C

Source: The Council of State Governments' survey, February 1992.

Key:

A — Has *parens patriae* authority to commence suits on behalf of consumers in state antitrust damage actions in state courts.

B — May initiate damage actions on behalf of state in state courts.

C — May commence criminal proceedings.

D — May represent cities, counties and other governmental entities in recovering civil damages under federal or state law.

★ — Has authority in area.

. . . — Does not have authority in area.

(a) May represent state on behalf of: the "people" of the state; an agency of the state; or the state before a federal regulatory agency.

(b) In this column only: ★ broad powers and • limited powers.

(c) When permitted to intervene.

(d) Only under Rule 23 of the Rules of Civil Procedure.

(e) To a limited extent.

(f) May commence criminal proceedings with local state attorney.

(g) Attorney general handles legal matters only with no administrative handling of complaints.

(h) Only when requested by the state department of commerce or by a county attorney.

(i) Attorney general has exclusive authority.

(j) Opinion only, since there are no controlling precedents.

(k) May prosecute in inferior courts. May prosecute in district court only by request or consent of U.S. Attorney General.

(l) May initiate damage actions on behalf of jurisdiction in district court.

Table 2.20
ATTORNEYS GENERAL: DUTIES TO ADMINISTRATIVE AGENCIES AND OTHER RESPONSIBILITIES

			Duties to administrative agencies							
					Conducts litigation:					
State or other jurisdiction	*Serves as counsel for state*	*Appears for state in criminal appeals*	*Issues official advice*	*Interprets statutes or regulations*	*On behalf of agency*	*Against agency*	*Prepares or reviews legal documents*	*Represents the public before the agency*	*Involved in rule-making*	*Reviews rules for legality*
Alabama	A,B,C	★ (a)	★	★	★	★	★	(b)	. . .	★
Alaska	A,B,C	★	★	★	★	★	★	. . .	★	★
Arizona	A,B,C	(c,d)	★	★	★	★	★	. . .	★	★
Arkansas	A,B,C	★ (a)	★	★	★	(b)	★	★	★	★
California	A,B,C	★ (a)	★	★	★	★	★	. . .	. . .	. . .
Colorado	A,B,C	(b)	★	★	★	★	★	. . .	★	★
Connecticut	A,B,C	(b)	★	★	★	(b)	★	(b)	★	★
Delaware	A,B,C	★ (a)	★	★	★	★	★	★	★	★
Florida	A,B,C	★ (a)	★	★	★	. . .	★	★	★	. . .
Georgia	A,B,C	(b,c)	★	★	★	★	★	. . .	★	★
Hawaii	A,B,C	(b,c)	★	★	★	★	★	★	★	★
Idaho	A,B,C	★ (a)	★	★	★	★	★	. . .	★	★
Illinois	A,B,C	(b,c,e)	★	★	★	★	★	★	. . .	. . .
Indiana	A,B,C	★ (a)	★	★	★	. . .	★	. . .	★	★
Iowa	A,B,C	★ (a)	★	★	★	★	★	. . .	. . .	★
Kansas	A,B,C	★ (a)	★	★	★	★	★	. . .	. . .	★ (a)
Kentucky	A,B*,C	★	★	★	★	★	★	(f)	(b)	(b)
Louisiana	A,B,C	(c)	★	★	★	★	★	. . .	★	★
Maine	A,B,C	(b,d)	★	★	★	(b)	★	(b)	★	★
Maryland	A,B,C	★	★	★	★	(b)	★	★	★	★
Massachusetts	A,B,C	(b,c,d)	★	★	★	★	★	★	★	★
Michigan	A,B,C	(b,c,d)	★	★	★	. . .	★	★	. . .	★
Minnesota	A,B,C	(c,d)	★	★	(a)	★	★	★	★	★
Mississippi	A,B,C	★	★	★	★	★	★	★	★	★
Missouri	A,B,C	★	★	★	★	. . .	★	. . .	★	★
Montana	A,B,C	★	★	★	★	. . .	★	. . .	★	★
Nebraska	A,B,C	★	★	★	★	★	★	. . .	. . .	★
Nevada	A,B,C	★ (d)	★	★	★	. . .	★	★	★	★
New Hampshire	A,B,C	★ (a)	★	★	★	★	★	★	★	★
New Jersey	A,B,C	★ (d)	★	★	★	★	★	. . .	★	★
New Mexico	A,B,C	★ (a)	★	★	★	★	★	★	★	★
New York	A,B,C	(b)	. . .	★	★	★	★	★	. . .	. . .
North Carolina	A,B,C	★	★	★	★	★	★	(b)	★	★
North Dakota	A,B,C	(b)	★	★	★	. . .	★	. . .	★	★
Ohio	A,B,C	(b)	★	★	★	★	★	★	★	. . .
Oklahoma	A,B,C	(b)	★	★	★	★	★	★	★	★
Oregon	A,B,C	★	★	★	★	. . .	★	. . .	★	★
Pennsylvania	A,B,C	★	★	★	★	★	★	. . .	★	★
Rhode Island	A,B,C	★ (a)	★	★	★	★	★	★	★	★
South Carolina	A,B,C	★ (d)	★	★	★	. . .	★	. . .	★	★
South Dakota	A,B,C	★ (a)	★	★	★	. . .	★	. . .	. . .	. . .
Tennessee	A,B,C	★ (a)	★	★	★	. . .	★	(b)	★	★
Texas	A,B,C	(c)	★	★	★	★	★	. . .	★	★
Utah	A,B,C	★ (a)	★	★	★	★	★	(b)	★	★
Vermont	A,B,C	★	★	★	★	. . .	★	★	★	★
Virginia	A,B,C	★ (a)	★	★	★	★	★	★ (g)	★	★
Washington	A,B,C	(c,g)	★	★	★	★	★	★	★	★
West Virginia	A,B,C	★ (a)	★	★	★	(g)	★	★	★	. . .
Wisconsin	A,B,C	(b)	★	★	★	(b)	(b)	(b)	(b)	. . .
Wyoming	A,B,C	★ (a)	★	★	★	. . .	★	. . .	★	★
American Samoa	A,B,C	★ (a)	★	★	★	. . .	★	. . .	★	★
Guam	A,B	★	★	★	(b)	. . .	(b)	. . .	★	★
No. Mariana Islands	A,B,C	★	★	★	★	. . .	★	. . .	★	★
Puerto Rico	A,B,C	★	★	★	★	. . .	★	. . .	★	★
U.S. Virgin Islands	A,B,C (h)	★	★	★	★	★	★	. . .	★	★

Source: The Council of State Governments' survey, February 1992.

Key:

A — Defend state law when challenged on federal constitutional grounds.

B — Conduct litigation on behalf of state in federal and other states' courts.

C — Prosecute actions against another state in U.S. Supreme Court.

* — Only in federal courts.

★ — Has authority in area.

. . . — Does not have authority in area.

(a) Attorney general has exclusive jurisdiction.

(b) In certain cases only.

(c) When assisting local prosecutor in the appeal.

(d) Can appear on own discretion.

(e) In certain courts only.

(f) Public Service Commission only.

(g) If authorized by the governor.

(h) Except in cases in which the U.S. Attorney is representing the Government of the U.S. Virgin Islands.

THE STATE TREASURERS, 1990-91

By Mary Ellen Withrow

During this time of economic challenge, state treasurers are setting examples of prudent and steady management of public funds, and are filling gaps left by a federal vacuum in services to the public.

Over the past two years, 19 new state treasurers have taken office. Of these, 14 were elected by the people and five were appointed. No matter how the office is assumed, though, the state treasurer is held accountable by the people, and his or her record of achievement and performance in office is a direct reflection on the state and its well-being. More critically, the treasurer's performance and record of investment income affects the bottom line. The diverse duties of state treasurers make them working partners throughout state government.

State legislatures are recognizing these important partnerships. In Minnesota, the treasurer received legislative authorization for an optional bank service fee payment, which saves taxpayers an estimated $280,000 annually by use of competitive bid direct charge payment rather than compensating balance payment methods. The Rhode Island General Assembly approved the general treasurer's plan to insure the safety of state and municipal short-term investments by providing for 100 percent collateralization of public funds in short-term investments which exceed 60 days. In Nebraska, legislation was passed that authorizes the state treasurer's membership on the Nebraska Investment Council, which gives the treasurer a voice in the state's investment policy, rather than standing on the sidelines reporting daily the amount of funds available for investment.

States use a number of investment vehicles. These allowable investments are listed in Table 6.4. In-state certificates of deposits are most commonly used, while other popular investment vehicles are repurchase agreements and U.S. Treasury and agency obligations.

Tracking the amount of funds available for investment requires state-of-the-art technology. High-speed, advanced check processing and encoding equipment, as well as up-to-the-minute electronic monitoring of the securities market are the norm. Although recognizing resource constraints, state treasurers remain dedicated to modernizing treasuries to meet today's standards. Arizona's state treasurer recently introduced computer controlled fax distributions enabling the treasury to release disbursement information by facsimile. State agencies receive same-day notification and hard copy documentation in a single process, facilitating cash flow and investment decisions. At the same time, staff are freed from making an average 350 telephone calls each week to report on intended disbursements. In Minnesota, the treasurer received funding for a new system that will accommodate an estimated one-third increase in data/warrant processing, an increase resulting from congressional mandates to centralize public assistance programs from the county level.

Responsibilities of Treasurers

Some duties of state treasurers are fundamental — to receive payments from other state agencies, to process state tax payments and fees, to deposit all monies into appropriate bank accounts, and to invest available funds. Common duties of state treasurers are listed in Table 2.22.

While the tasks may seem straightforward, the processes can be complex. Treasurers must carry out these responsibilities using the swift-

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est, most efficient methods available. Monies due to the state are deposited immediately so funds can be invested to earn the highest possible return. Other duties require state treasurers to be innovative money managers. Treasurers work with cash management to ensure sufficient cash to meet financing needs, and with debt management to finance long-term projects in the least costly manner.

Cash and Debt Management

"Money is one of the major assets of state government. Its management has never been more important," said North Carolina Treasurer Harlan Boyles. All state treasurers would echo this belief, and the Wisconsin treasury, among others, holds cash management conferences for local treasurers.

Cash management responsibilities of each state treasurer are outlined in Table 6.6.

In addition to effective cash management, states are examining methods to improve oversight of state debt. The National Association of State Treasurers (NAST) formed the State Debt Management Network in 1991, following publication of *Debt & Duty: Accountability and Efficiency in State Debt Management*. The study found that additional information is needed about state debt management policies, as states are increasingly issuing debt to pay for programs. The network is a support system for debt management and oversight officials from all branches of state governments.

Individual states also are studying ways to improve their efforts in this area. For example, Treasurer Kay Bailey Hutchison of Texas is calling for sweeping changes to control, regulate and curb state debt. Legislation has been introduced calling for a Texas constitutional amendment that would require all debt-authorizing measures to be considered by voters, with full disclosure of the purpose and amount of debt.

Administering Public Pension Funds

State treasurers often administer public pension funds, and manage retiree funds for hundreds of thousands of public employees, teachers, police officers, firefighters and state highway patrols. Anthony Solomon, General Treasurer of Rhode Island, has offered a pension reform package that would prevent abuses resulting from legislative, judicial and executive actions, and the Rhode Island State Retirement Board has endorsed the proposal. In addition to protecting pension funds, state treasurers seek to invest in programs that serve their state's citizens. For example, furloughed state workers in Massachusetts are eligible to receive state loans with money borrowed from the workers' retirement accounts in the state employees' pension system. The program operates like a bank loan program with 12-month loans at a 9 percent interest rate.

Managing Unclaimed Funds

Twenty-five state treasurers manage unclaimed funds accounts for funds abandoned through long-forgotten bank accounts, lost tax refunds, stock holdings and dividends, insurance proceeds, and unclaimed wages, among others. The rate of return on these unclaimed funds is staggering. In Colorado, the Great Colorado Payback program has $10 million in unclaimed funds ready for disbursement upon claim. The abandoned property program in Maine contributed a record $2.9 million to the general fund. Virginia's program captured attention when citizens read the headline "General Schwarzkopf leaves money in Virginia!" A list containing 33,000 names was published in newspapers across Virginia, a typical method used to inform citizens of unclaimed funds.

As a result of a bank audit, Rhode Island's abandoned property program recently gave a half million dollars to the charitable Narragansett Preservation and Improvement Association. Recognizing the significance of these unclaimed funds, the Mississippi legislature passed a law requiring holders of unclaimed funds to report after five rather than seven years of dormancy.

Responding to Public Needs

Some state treasurers administer state Social Security benefits programs and deferred compensation savings plans. They also are custodians of workers' compensation funds. While state treasurers' duties are diverse, there is a common expectation that these officials will respond to the ever-changing needs of the public.

Today, with falling tax revenue and less federal assistance, states are required to do more with less. To avoid huge deficits, states must manage their available funds more effectively and efficiently, while keeping intact programs that serve the public. This is a difficult task. However, states' public finance leaders have become innovators, creators of programs and solvers of problems.

State treasurers are managing money in ways that benefit the people. For example, the Withrow Plans of Linked Deposits offer reduced-rate financing to Ohio's small business owners and farmers, in an effort to save or create small business jobs and to reduce debt burden to farm operations. A spin-off program in Ohio offers low-rate loans to owners of leaking underground petroleum storage tanks. In spring 1991, when Indiana was devastated by floods and tornadoes, nearly $400,000 in low-interest loans was made available through the Indiana treasury for the disaster victims to bridge the gap until federal monies became available. Loan recipients first had to seek federal aid, and if no federal aid was given, victims were permitted to use the money for one year at 5 percent interest. The California treasury provided low-interest loans (up to 3 percent less than market value) to owners of small farms and businesses, including those affected by the drought and winter freezes. In Pennsylvania, the treasury loaned money for student loans to the Pennsylvania Higher Education Assistance Agency to cover academic year expenses. This loan gave the agency breathing space until the General Assembly allocated the $10 million requested as part of a tax-exempt bond issue.

Affordable housing remains important and is a key issue for state treasurers in California, Connecticut and Pennsylvania. California allocated nearly $227 million in tax-exempt private activity bonds to first-time home buyers. The loans helped roughly 2,670 low- and moderate-income families purchase first homes through below-market mortgage interest rates. Connecticut's STAR Mortgage Plan distributed more than $100 million to more than 800 first-time home buyers. Like other state affordable housing programs, STAR Mortgage features a low down payment, and 85 percent of the mortgage pool is dedicated to buyers who can make down payments as small as 5 percent of the purchase price. Pennsylvania is quickly becoming an investment model through its Knoll HomeStart program, which provides below market-rate mortgages to middle-income, first-time home buyers. State Treasurer Catherine Baker Knoll reports that first-time home buyers, single parents and veterans participate in the program. The home buyers, chosen by lottery because of the great demand, each save an average of $12,600 over 30 years.

There has been steady growth in the number of states and state treasurers involved in college savings programs. Currently, 34 states have programs and five states have programs pending. Of these, two distinct types have emerged: college savings bonds and guaranteed tuition. The College Savings Plans Network, sanctioned by NAST, shares information among programs and informs other state agencies interested in starting programs.

National and International Policy Interests

State treasurers are also public policy advocates with national and international interests.

In recent years, state treasurers have used professional organizations to publicly urge the federal government to appoint a chief financial officer, or federal watchdog, to guard against government mismanagement, fraud and waste. Congress, in 1991, passed the chief financial officer legislation, which was supported by the U.S. Comptroller General Charles Bowsher. Ed Mazur, former comptroller of Virginia, was appointed controller of the U.S. Office of Management and Budget to oversee the federal government's accounting and financial reporting, and direct and monitor reforms throughout the federal system. The federal government has long insisted that states, local governments and private businesses withstand private audits, and it is the state treasurers' position that the federal government do the same.

State treasurers also have played a key role in the states' struggle to preserve tax-exempt financing. It is critical for Congress to recognize the importance of the issue as state and local governments depend on tax-exempt bonds to finance long-term projects, such as infrastructure, education, housing and parks and recreation. However, with the ever growing deficit, Congress has threatened to end the tax-exempt status of such bond financing. State treasurers have argued that state and local governments should not have to pay for a federal deficit they did not create and cannot control. Without tax-exempt debt, state and local government would incur thousands to millions of dollars of added costs to fund long-term ventures. Others would simply abandon such plans.

Still, Congress has not entirely preserved the benefits of tax-exempt financing. The Tax Reform Act of 1986 mandated that bond issuers rebate arbitrage earnings from bond issues back to the federal government. In public finance, arbitrage refers to the difference between the interest an issuer pays on tax-exempt securities and the interest earned by investing the security proceeds in higher yielding taxable securities.

In July 1991, as Congress debated the Tax-Exempt Bond Simplification Act of 1991, four state treasurers testified in support of the legislation before the U.S. Senate Finance Committee's Taxation Subcommittee. The bill, sponsored by U.S. Sens. Max Baucus, D-Mont., and Christopher Dodd, D-Conn., exempts smaller bond issuers from paying positive arbitrage and allows most larger bond issuers, such as states, to rebate only 90 percent of arbitrage earnings. Treasurers Kathleen Brown of California, Hutchison of Texas, Sam Shapiro of Maine, and Mary Ellen Withrow of Ohio encouraged Congress to allow states to keep more earnings and argued the legislation was a step in the right direction.

State treasurers also work with the business community. To boost small business growth, "Capitalize Texas" allows the treasury to purchase up to $50 million in Small Business Administration loans to finance manufacturing, commercial and retail projects from Texas banks. The treasury also accepts the guaranteed loans as collateral for state deposits. To keep business in Minnesota, Treasurer Michael McGrath contracted with a business in Plymouth, Minn. to produce a commemorative medallion series, and became the first state to issue a Super Bowl commemorative medallion.

Treasurers also work closely with the national finance community. Girard Miller, senior vice president of Fidelity Investments and the founder of the Government Finance Officers Association's newsletter, said: "The challenge is for those of us who are on the private sector side to make lifetime commitments to work with [the public sector], not for the quick buck, but for the long haul."

Increasingly, state treasurers are finding themselves in the role of public finance advisors to the international community. In 1990, for example, Ohio worked on a project offering technical assistance to the new government in Poland. A delegation of officials from the National Association of State Auditors, Comptrollers and Treasurers (NASACT) traveled to Poland to propose an information-sharing plan, and later, seven Polish officials spent a week studying the Ohio treasury.

Technical assistance also was provided to officials in three cities of the former Soviet Union. Nine state treasurers visited the Soviet Union, meeting with former Foreign Minister Eduard Shevardnadze, and several treasurers talked with former Soviet President Mikhail Gorbachev. These meetings led to an agreement that Treasurers Michael Fitzgerald of Iowa and Michael McGrath of Minnesota, in cooperation with Soviet officials, would lead an effort to help establish the Moscow Grain Exchange. In addition, because of efforts made by treasurer Marshall Bennett, Mississippi shipped tons of poultry to replenish Soviet stores in the winter of 1992.

Other international efforts are underway as Europe works toward a goal of a common currency and economic market. In 1991, a delegation of officials representing The Council of State Governments traveled to Europe to discuss financial issues with officials of the European Community. The states' treasurers are working with European colleagues to maintain continuity.

While state treasurers reach out with national and international agendas, their roles as chief fiscal officers of states remain most important. As the federal and other governments face falling tax revenue and mounting debt, the state treasurers are increasingly a resource in making government more efficient and receptive to the needs and the dreams of the people. State treasurers are committed to provide the best future for citizens.

Table 2.21
TREASURERS: QUALIFICATIONS FOR OFFICE

State or other jurisdiction	*Minimum age*	*U.S. citizen (years)*	*State citizen (years)*	*Qualified voter (years)*	*Method of selection to office*
Alabama	30	10	7	. . .	E
Alaska	. . .	★	★	★	A
Arizona	25	10	5	. . .	E
Arkansas	18	★	. . .	★	E
California	18	. . .	★	. . .	E
Colorado	25	★	2	. . .	E
Connecticut	21	★	. . .	★	E
Delaware	. . .	. . .	. . .	. . .	E
Florida	30	. . .	7	★	E
Georgia	. . .	. . .	. . .	. . .	(a)
Hawaii	. . .	. . .	. . .	. . .	A
Idaho	25	★	2	. . .	E
Illinois	25	★	3	. . .	E
Indiana	. . .	. . .	(b)	. . .	E
Iowa	. . .	. . .	. . .	. . .	E
Kansas	. . .	. . .	. . .	. . .	E
Kentucky	30	. . .	2 (c)	. . .	E
Louisiana	. . .	. . .	. . .	. . .	E
Maine	. . .	. . .	★	. . .	L
Maryland	. . .	. . .	. . .	. . .	L
Massachusetts	. . .	. . .	5	. . .	E
Michigan	. . .	. . .	. . .	. . .	A
Minnesota	. . .	. . .	. . .	. . .	E
Mississippi	25	★	5	★	E
Missouri	. . .	. . .	. . .	. . .	E
Montana	. . .	. . .	. . .	. . .	A
Nebraska	. . .	★	★	★	E
Nevada	25	★	2	★	E
New Hampshire	. . .	. . .	. . .	. . .	L
New Jersey	. . .	. . .	. . .	. . .	A
New Mexico	30	★	5	★	E
New York	. . .	. . .	. . .	. . .	A
North Carolina	21	★	★	★	E
North Dakota	25	★	★	★	E
Ohio	18	★	★	3 mos.	E
Oklahoma	31	10	10	10	E
Oregon	. . .	★	★ (d)	★ (d)	E
Pennsylvania	30	★	7	. . .	E
Rhode Island	18	★	★	30 days	E
South Carolina	. . .	★	★	★	E
South Dakota	. . .	. . .	. . .	. . .	E
Tennessee	. . .	. . .	. . .	. . .	L
Texas	18	★	1	. . .	E
Utah	18	★	5	★	E
Vermont	. . .	. . .	. . .	. . .	E
Virginia	. . .	. . .	. . .	. . .	A (e)
Washington	18	★	★	30 days	E
West Virginia	. . .	★	★	★	E
Wisconsin	. . .	. . .	. . .	. . .	E
Wyoming	25	★	★	★	E
Dist. of Columbia	. . .	. . .	. . .	. . .	(f)
Puerto Rico	. . .	. . .	. . .	. . .	A
U.S. Virgin Islands	. . .	. . .	. . .	. . .	A

Source: National Association of State Treasurers and The Council of State Governments' survey, March 1992.

Note: "Qualified voter" provision may infer additional residency and citizenship requirements.

Key:

★ — Formal provision; number of years not specified
. . . — No formal provision
A — Appointed by the governor
E — Elected by the voters
L — Elected by the legislature

(a) Appointed by State Depository Board.

(b) Residency requirements while in office.

(c) State resident and citizen requirement.

(d) Must be a state resident for 20 days and be a qualified voter for 180 days prior to election.

(e) Subject to confirmation by the General Assembly.

(f) Appointed by the mayor.

Table 2.22
TREASURERS: DUTIES OF OFFICE

State or other jurisdiction	*Investment of excess funds*	*Investment of retirement and/or trust funds*	*Management of bonded debt*	*Bond issue*	*Debt service*	*Unclaimed property*	*Deferred compensation*	*Local government investment pool*	*Linked deposits*	*College savers program*
Alabama	★	. . .	★	. . .	★	. . .	. . .	. . .	★	★
Alaska	★	★	★	★	★	★	. . .	★	. . .	★
Arizona	★	. . .	★ (a)	. . .	. . .	. . .	. . .	★	. . .	. . .
Arkansas	★	. . .	. . .	. . .	★	. . .	. . .	. . .	★	★
California	★	. . .	★	★	★	. . .	. . .	★	. . .	. . .
Colorado	★	★	★	★	★	★	. . .	. . .	. . .	. . .
Connecticut	★	★	★	★	★	★	. . .	★	. . .	★
Delaware	★	. . .	★	★	★	. . .	★	. . .	. . .	. . .
Florida	★	. . .	. . .	. . .	. . .	. . .	★	. . .	. . .	★
Georgia	★	. . .	. . .	. . .	★	. . .	. . .	★	. . .	. . .
Hawaii	★	. . .	★	★	★	★	. . .	. . .	. . .	★
Idaho	★	. . .	★	★	. . .	. . .	. . .	★	. . .	. . .
Illinois	★	★	. . .	. . .	★	. . .	. . .	★	★	. . .
Indiana	★	. . .	. . .	. . .	. . .	. . .	★	. . .	★	. . .
Iowa	★	★	. . .	★	★	★	. . .	. . .	★	. . .
Kansas	★ (b)	. . .	. . .	. . .	. . .	★	. . .	★	. . .	. . .
Kentucky	★ (c)	. . .	. . .	. . .	. . .	★ (d)	. . .	. . .	. . .	. . .
Louisiana	★	. . .	★	★	★	. . .	. . .	. . .	★	★
Maine	★	★	★	★	★	★	. . .	. . .	★	. . .
Maryland	★	. . .	★	★	★	. . .	. . .	★	. . .	★
Massachusetts	★	★	★	★	★	★	★	★	★	★
Michigan	★	★	★	★	★	★	. . .	★	★	★
Minnesota	★ (e)	★ (e)	. . .	. . .	★	. . .	★ (e)	. . .	. . .	. . .
Mississippi	★	. . .	★	★	★	★	. . .	. . .	. . .	. . .
Missouri	★	★	. . .	. . .	★	. . .	. . .	. . .	★	. . .
Montana	. . .	. . .	. . .	★	★	. . .	. . .	. . .	. . .	. . .
Nebraska	★ (f)	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .
Nevada	★	. . .	★	★	★	. . .	. . .	★	★	★
New Hampshire	★	★	★	★	★	★	★	. . .	. . .	★
New Jersey	★	★	★	★	★	★	★	★	. . .	. . .
New Mexico	★	★	★	★	★	★	. . .	★	★	. . .
New York	★	. . .	. . .	. . .	★ (g)	. . .	. . .	. . .	. . .	. . .
North Carolina	★	★	★	★	★	★	. . .	★	. . .	. . .
North Dakota	★	★ (h)	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Ohio	★	(i)	. . .	★	★	(i)	(i)	★	★	(i)
Oklahoma	★	. . .	. . .	. . .	★	. . .	. . .	★	★	. . .
Oregon	★	★	★	★	★	. . .	★	★	. . .	★
Pennsylvania	★	★	. . .	★	★	. . .	★	. . .	★	. . .
Rhode Island	★	★	★	★	★	★	. . .	. . .	. . .	★
South Carolina	★	★	★	★	★	. . .	★	★	. . .	. . .
South Dakota	★	★	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .
Tennessee	★	★	. . .	. . .	. . .	★	★	★	. . .	. . .
Texas	★	★	. . .	★	★	★	. . .	★	★	. . .
Utah	★	★ (j)	★ (j)	★	★	★	. . .	★	. . .	. . .
Vermont	★	★	★	★	★	★	★	. . .	. . .	★
Virginia	★	★	★	★	★	★	. . .	★	. . .	★
Washington	★	★	★	★	★	. . .	. . .	★	. . .	★
West Virginia	. . .	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .
Wisconsin	. . .	. . .	. . .	. . .	. . .	★	. . .	★	. . .	. . .
Wyoming	★	★	★	★	★	★	★	★	★	★ (k)
Dist. of Columbia	★	★	★	★	★	. . .	. . .	. . .	. . .	. . .
Puerto Rico	★	★	. . .	★	★	. . .	. . .	. . .	. . .	. . .
U.S. Virgin Islands	★	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .

Source: National Association of State Treasurers and The Council of State Governments' survey, March 1992.

Note: For additional information on functions of the treasurers' offices, see Tables 6.4-6.7

Key:

★ — Responsible for activity

. . . — Not responsible for activity

(a) Management of arbitrage rebate calculation and reporting.

(b) As chair of the Pooled Money Investment Board.

(c) As vice-chair of the State Investment Commission, which sets investment policy. Administrative responsibilities are under the Finance Cabinet in the Governor's Office.

(d) Only unclaimed state checks.

(e) As a member of State Board of Investment.

(f) As a member of the Investment Council.

(g) Payment of debt service to trustees on behalf of some public authorities.

(h) Invests retirement funds as a member of the State Investment Board.

(i) Custodial responsibilities.

(j) Invests retirement and/or trust funds as a member of the State Retirement Board; manages bonded debt as a member of the State Bonding Commission.

(k) As a member of a board of three people.

CHAPTER THREE

STATE LEGISLATIVE BRANCH

THE STATE LEGISLATURES

By Rich Jones

The 1990-1991 biennium was a difficult time for state legislatures. The national recession, coupled with increased responsibilities flowing to the states from the federal government, resulted in the worst budget problems since the great depression. To balance state budgets, legislatures in 35 states raised taxes in 1991 for the largest total revenue increase in 20 years. Most states also cut services. In addition, the once-a-decade process of redrawing legislative and congressional district boundaries added a level of partisanship and hardball politics to already contentious debates on public policy issues.

The result of these pressures was legislative sessions marked by divisiveness, deadlock, political partisanship and difficult policy choices. Citizens in Connecticut, Maine and Pennsylvania reacted angrily to their legislatures' budget deliberations, forcing these states to start the new fiscal year without a budget. Ethics scandals in other states, particularly Arizona and South Carolina where lawmakers were convicted of corruption charges following undercover sting operations, added to public skepticism about legislatures and contributed to a negative image of public officials in general and legislators in particular. Legislators, staff, other observers and public opinion polls all indicate that the public currently holds a low opinion of state legislatures as institutions.

An analysis of public opinion data on state legislatures by the National Conference of State Legislatures found that citizens hold the legislature in lower esteem today than they did 20 years ago. When surveyed in 1968, 50 percent of respondents in six states gave a positive rating to their legislature. In 1990, the number of survey respondents in seven states who gave the legislature a positive rating declined to 30 percent.[1]

The irony of these findings is that by most accounts, legislatures are considerably stronger institutions now than they were two decades ago. In fact, it was reaction to the status of legislatures in the 1960s that helped fuel efforts to modernize and improve legislatures.

Legislative Modernization

In the mid-1960s, legislatures were malapportioned and dominated by rural interests. They met infrequently, experienced high rates of turnover among the members, had little or no staff and were dependent on the executive branch and lobbyists for information. Members in most states did not have office space, and committee rooms were often too small to accommodate citizens wanting to participate in the legislative process. Procedures and committee systems were antiquated.[2] A new member of the Illinois House of Representatives was quoted in 1965 as "appalled by the conditions under which we have to work."[3] Because of these weaknesses state legislatures were characterized as a "series of sometime governments: their presence is rarely felt or rarely missed."[4]

Alan Ehrenhalt wrote that a tour of American legislatures in 1961 would have uncovered practices and behavior that would disturb most voters today. According to Ehrenhalt, the legislatures of a generation ago were "racist, sexist, secretive, boss-ruled, malapportioned and uninformed."[5]

Efforts to improve and modernize state legislatures were stimulated by general dissatisfaction with their capability combined with the results of a series of state and federal court decisions following the U.S. Supreme Court rulings on legislative districting in *Baker v.*

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Carr (1962) and *Reynolds v. Simms* (1964). These decisions generally required that legislative districts be apportioned based on equal population ("one person, one vote"). As a result, many legislatures became more representative of the population and power shifted from rural to urban and suburban interests. The membership composition changed as the number of farmers declined and the number of teachers, professionals, women and racial minorities grew.

To correct legislative shortcomings, citizen groups, national organizations and legislatures themselves studied legislative operations and offered recommendations for improvement. The recommendations advocated most frequently included:

- eliminating or relaxing constitutional limits on sessions and salaries;
- developing and expanding staff;
- expanding and improving facilities;
- reforming rules and procedures to open the process to greater public participation and scrutiny;
- expanding the legislatures' capacity to review and oversee state budgets; and
- developing statutes to govern ethics, campaign finance, disclosure and conflict of interest.

State legislatures have adopted most of the reformers' recommendations. In 1988, there were more than 33,000 staffers working in state legislatures, 40 percent of them full-time professionals. Currently, 43 states meet in annual sessions compared to 20 in 1966. Legislative compensation has increased significantly. Only six states have constitutional limits on legislative salaries. Legislatures have added office space, expanded committee rooms and renovated their capitols. Many members now have district offices in addition to space at the capitol. Legislative procedures are more streamlined, open meetings and open records laws are in place, and most legislatures undertake extensive efforts to provide the public with information on their operations. The majority have statutes governing ethics, campaign finance and conflicts of interest. As a result of these changes, legislatures have become strong, independent institutions that are co-equal partners in state government.

"Legislatures really did transform themselves," says Alan Rosenthal, director of the Eagleton Institute of Politics at Rutgers University and a participant in the legislative improvement efforts. "They are an institutional success story in terms of where they were 20 years ago and where they are now." In light of these changes and the transformation legislatures have made, Rosenthal finds public dissatisfaction with legislatures to be "quite ironic." [6]

Yet the seeds of the current problems facing state legislatures were sown in the reforms adopted over the past two decades. The net effect of the reforms has been to make legislatures more professional. By raising salaries, providing office space, adding staff and making the state legislature an attractive place to serve, the reforms have attracted more people who consider the legislature their full-time career.

Given the complexity of state problems it may be necessary to have legislators who devote their full-time attention to legislative issues. However, this approach runs counter to the traditional theory of American politics in which citizens come together, conduct the public's business and return to their other occupations. As William Schneider, political analyst at the American Enterprise Institute, told a meeting of state legislators, "Professionalism and politics do not mix. The notion of a professional politician is antithetical." In his view, the problem is that politicians want to be treated as highly skilled professionals, which implies they have special expertise and can solve their states' problems. To the extent legislatures fail to solve problems, the public standing of the institution declines. "The combination of a professional self-image on the part of politicians and a dissatisfied clientele is lethal," says Schneider.[7]

Term Limits

Voter anger with legislatures and politicians in general is manifested in the movement to limit the terms of state lawmakers and members of Congress. Voters in California, Colorado and Oklahoma approved citizen initiatives in November 1990 that limit the terms of state legislators. The Colorado initiative also applies to members of Congress. In California, members of the Assembly are limited to six years, senators to eight years, and a lifetime ban is imposed on holding each office once the time limit is reached. Colorado limits lawmakers to eight consecutive years in each house and members of Congress to 12 years. Oklahoma legislators are limited to a combined 12 years of service in either house.

Voters in Washington turned down an initiative in 1991 that would have limited members of the legislature to six years in the House and eight years in the Senate. It would have limited members of Congress to six years in the House of Representatives and 12 years in the Senate. Unlike other state proposals that begin counting years of service with the current election, Washington's initiative would have allowed only one more term for state and federal lawmakers who had already reached the number of terms permitted for their current office.[8]

The California Legislature went to court to have its initiative overturned, arguing the lifetime ban on legislative service would disqualify the most qualified candidates -- incumbents — and deny voters the right to choose their representatives. (In addition to limiting lawmakers' terms, Proposition 140 set a ceiling on legislative expenditures and reduced legislators' retirement benefits.) The California Supreme Court rejected these arguments and upheld the measure's constitutionality, writing, "The state's strong interest in protecting against an entrenched, dynastic bureaucracy, and in thereby encouraging new candidates to seek public office are both legitimate and compelling ones that support a lifetime ban from the office and outweigh any interest the incumbent legislators, or the voting public, may have in perpetuating the incumbents' positions of control."[9]

Not withstanding the defeat of the Washington initiative, the movement to limit terms has considerable public support. An October 1991 *Wall Street Journal*/NBC News poll found that three out of four people surveyed support term limits for members of Congress. A 1990 poll found that 80 percent of the voters in New Jersey support limits on state lawmakers' terms.[10] Voters in as many as 20 states may have the opportunity to vote on term limit initiatives in the 1992 elections and term limit bills were considered in 45 states during 1991. Although none was enacted, legislation did pass through both chambers of the Oregon Legislative Assembly only to die in conference committee at the end of the 1991 session.

Proponents of term limits argue legislatures are dominated by entrenched members with long tenures who are out of touch with the citizens' needs. And because incumbents have electoral advantages by virtue of their positions, term limits are necessary to force turnover and bring new people with new ideas into state legislatures. It is ironic that one of the goals of legislative reformers two decades ago was to reduce legislative turnover. They felt high turnover limited lawmakers' expertise and weakened the legislatures' capacity and independence.

Although turnover rates in many states have declined since the 1960s, Table A shows there is still considerable change in the membership of most state legislatures. For example, nationwide, 75 percent of the lower house members and 72 percent of the upper house who served in 1979 had left their respective chambers by 1989. From 1979 to 1989, turnover in the lower house was 80 percent or more in 23 states while 16 state Senates had comparable rates.[11]

Term limits are likely to change significantly the organization and operation of legislatures. For example, the selection of leaders, professionalization of legislatures and the distribution of power between the legislative and executive branches are just some of the areas that could be affected. How legislatures will respond will not become clear, until there has been some experience with term limits.

Reapportionment

Every 10 years, state legislatures undertake the process of drawing new districts for themselves and members of the U.S. House of Rep-

Table A

STATE LEGISLATIVE TURNOVER, 1979-1989

State	*Upper chambers*			*Lower chambers*		
	Total members	*New members*	*Turnover percent*	*Total members*	*New members*	*Turnover percent*
United States	1,981	1,432	72	5,501	4,108	75
Alabama	35	26	74	105	71	68
Alaska	20	16	80	40	35	88
Arizona	30	19	63	60	45	75
Arkansas	35	24	69	100	49	49
California	40	21	53	80	56	70
Colorado	35	28	80	65	58	89
Connecticut	36	32	89	151	124	82
Delaware	21	13	62	41	28	68
Florida	40	35	88	120	100	83
Georgia	56	39	70	180	120	67
Hawaii	25	19	76	51	42	82
Idaho (a)	35	32	91	70	57	81
Illinois (b)	59	38	64	177	87	49
Indiana	50	33	66	100	60	60
Iowa	50	35	70	100	76	76
Kansas	40	27	68	125	101	81
Kentucky	38	24	63	100	61	61
Louisiana	39	26	67	105	75	71
Maine (c)	33	28	85	151	132	87
Maryland	47	32	68	141	91	65
Massachusetts	40	25	63	160	110	69
Michigan	38	19	50	110	72	65
Minnesota	67	53	79	134	97	72
Mississippi	52	49	94	122	105	86
Missouri	34	21	62	163	120	74
Montana	50	37	74	100	87	87
Nebraska	49	38	78	N.A.	N.A.	N.A.
Nevada (d)	20	17	85	40	34	85
New Hampshire	24	21	88	400	343	86
New Jersey	40	28	70	80	64	80
New Mexico	42	31	74	70	53	76
New York (e)	60	23	38	150	83	55
North Carolina	50	38	76	120	96	80
North Dakota (f)	50	37	74	100	72	72
Ohio	33	25	76	99	64	65
Oklahoma	48	39	81	101	86	85
Oregon	30	25	83	60	50	83
Pennsylvania	50	31	62	203	138	68
Rhode Island	50	42	84	100	80	80
South Carolina	46	35	76	124	89	72
South Dakota	35	26	74	70	57	81
Tennessee	33	20	61	99	61	62
Texas	31	26	84	150	122	81
Utah	29	19	66	75	65	87
Vermont	30	25	83	150	125	83
Virginia	40	21	53	100	62	62
Washington	49	31	63	98	88	90
West Virginia	34	32	94	100	90	90
Wisconsin	33	25	76	99	78	79
Wyoming (g)	30	26	87	62	49	79

Key:

N.A. — Not applicable

(a) Membership in the Idaho Senate increased from 35 to 42 members between 1979 and 1989. Membership in the House increased from 70 to 84 members.

(b) Membership in the Illinois House of Representatives decreased from 177 to 118 members between 1979 and 1989.

(c) Membership in the Maine Senate increased from 33 to 35 members between 1979 and 1989.

(d) Membership in the Nevada Senate increased from 20 to 21 members between 1979 to 1989.

(e) Membership in the New York Senate increased from 60 to 61 members between 1979 and 1989.

(f) Membership in the North Dakota Senate increased from 50 to 53 members between 1979 and 1989. Membership in the House increased from 100 to 106 members.

(g) Membership in the Wyoming Senate increased from 30 to 40 members between 1979 and 1989. Membership in the House increased from 62 to 64 members.

resentatives. Nine states assign this responsibility to independent commissions, and in Alaska, the governor's office draws the legislative districts.

The 1990 redistricting process featured a number of significant changes from past efforts. Possibly the biggest has been in laws relating to the representation of minorities. The U.S. Congress in 1982 adopted amendments to Section 2 of the Voting Rights Act prohibiting states from enacting plans that have the *effect* of diluting minority votes. The previous standard prohibited states from adopting plans with the *intent* of diluting minority votes. In *Thornburg v. Gingles*, the U.S. Supreme Court ruled the amendments require states to draw districts composed of a majority of minority voters whenever possible. Compliance with this dictate has been a primary concern of legislative mapmakers, overshadowing most other concerns and resulting in several oddly-shaped districts.

A second major change was the increased level of detail provided by the Census Bureau. States participating in a special project gave the Census Bureau maps identifying all election precincts. The bureau then reported detailed precinct-level statistics in computer readable format. The result was that 1990 census data were broken down into more than 7 million blocks as compared to 2.5 million blocks in 1980. Legislatures had significantly more statistical information about the districts and could draw them with near equal population.

Advances in computer technology effected the third major change in the redistricting process. With powerful and less-expensive computers, more people had access to the redistricting process than in previous years. Using mini- and personal computers and census data, more groups and individuals could draw their own redistricting plans for consideration by the legislatures and the courts.

Many observers of the redistricting process have predicted a fourth major change could result from the 1986 U.S. Supreme Court decision in *Davis v. Bandemer* that recognized partisan gerrymandering as a justiciable issue. Political gerrymandering was long considered outside the purview of the courts because it involved purely political issues. Federal courts can now review redistricting plans to determine if they are drawn to benefit one political party over another in violation of the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution. However, the Court did not spell out the criteria for identifying unconstitutional gerrymanders, and litigation is expected until standards are set. Without definite limits on gerrymanders, it is unlikely states will make this a top concern.

These changes have made the 1990 redistricting process extremely complex and increased the likelihood of litigation. During the 1980 redistricting process, 43 states faced a challenge to at least one of their plans (i.e., congressional, state House or Senate.) The number of legal challenges to the 1990 redistricting plans could exceed that of 1980.[12]

Legislative Operations, Organization and Procedures

As legislatures have assumed a more active policymaking role, the number and complexity of issues they address and the public attention they receive have expanded. Consequently, legislative workloads have grown. To meet increased demands and complete their business more effectively within prescribed time limits, legislatures have devoted considerable attention to streamlining and improving operations. Providing increased public access to the legislative process and improving the legislature's use of its time in session and during the interim have been primary objectives.

Since 1985, Alaska, Florida, Kansas, Maine, Minnesota, Missouri, Nevada, New York and Washington have undertaken studies of their operations and procedures. Maryland, North Dakota and Wisconsin are conducting studies during 1992. The legislatures have used different approaches in conducting these studies, but all have had the common objective of identifying methods to streamline legislative procedures, improve the legislature's use of its time and more effectively handle the increased workload.

Length of Legislative Sessions

During the last two decades, states have relaxed session length limitations and restrictions on the legislature's ability to call itself into special session. Currently, 12 states place no limit on session length, 32 states have constitutional limits, and six have statutory or indirect limitations based on cutoffs in legislators' salaries or per diem expense payments. All but seven (Arkansas, Kentucky, Montana, Nevada, North Dakota, Oregon and Texas) meet annually. Following World War II, only four states held annual sessions. By 1966, this number increased to 20 states, and by 1974, 42 states were meeting annually. (See Table 3.2)

During the 1980s, there was public interest in limiting the length of legislative sessions. In 1988, Colorado voters approved a constitutional amendment limiting legislative sessions to 120 days. Oklahoma voters in 1989 approved a constitutional amendment specifying the legislature could meet only from February through May. Because of legislative scheduling this had the effect of limiting time spent in session. Alaska adopted a 120-day session limit in 1984.

However, the effectiveness of rules limiting sessions by reducing compensation or per diem payments if legislatures stay in session beyond a prescribed limit is questionable. Arizona and Nevada use this approach and both states exceeded the limit throughout the 1980s.

Regardless of the restrictions placed on legislative sessions, the legislatures' workload continues to grow. During the early 1990s, budget problems and reapportionment forced legislatures to stay in session longer or meet in special sessions. For example, Texas, which technically meets in session 140 days every other year, met for 270 days during the 1989-1990 biennium, and held three special sessions in 1989 and four in 1990. Nationwide, more than 50 special sessions were convened in 31 states during 1991. (See Table 3.22)

Full Time Legislatures and Legislators

Debates over the time legislatures spend in session often center around a desire to preserve the citizen legislature versus the need to develop professional or full-time legislatures similar to the U.S. Congress. The amount of time in session and compensation paid its members directly affect the type of person found in legislative bodies. States with longer sessions and higher salaries, for the most part, have a larger number of members who consider the legislature their career. The traditional argument is that legislatures benefit by having members who represent a variety of vocations, who come to the legislature for a short time and then return to their other occupations. In recent years however, many have argued that the complexities of issues and the demands placed on legislatures have increased the need for full-time lawmakers.

In a 1992 update of a study originally conducted four years ago, the National Conference of State Legislatures grouped the legislatures into three categories based on the extent to which they exhibit characteristics of a full-time legislature — high salaries, large staffs and long sessions. California, Illinois, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania and Wisconsin are considered to be full-time legislatures. (New Jersey moved into the full-time category in the 1992 study when the turnover rate among members was dropped as a criterion for full-time status.) At the other end of the spectrum are 17 states with clearly part-time legislatures. They meet in short sessions, have low salaries and small staffs. In between are 25 states whose legislatures have some, but not all of the characteristics of full-time legislatures. Florida, for example, has a large legislative staff but meets in a short session and ranks in the midrange on legislative pay. Given increased demands on legislatures, it is possible that states such as Florida and Missouri will move into the full-time category during the coming decade. Others, such as Maine and Georgia, could evolve from being part-time bodies and begin to take on more characteristics of full-time legislatures.[13]

The number of members who consider themselves full-time lawmakers is increasing. In a 1986 study conducted by the National Conference of State Legislatures, 11 percent of all legislators reported the legislature is their sole occupation. If other categories such as retired, student and homemaker are included, full-time legislators would exceed 20 percent of all legislators. More than half of the Middle Atlantic state lawmakers consider themselves full-time, including more than 60 percent of the members in New York and Pennsylvania. Almost one of every five women legislators says she is a full-time lawmaker and another one in eight lists her occupation as homemaker. This study also found that the number of lawyer legislators declined from 22 percent of the total in 1976 to 16 percent in 1986. In rank order, the largest occupational categories are: attorney (16 percent), business owner (14 percent), full-time legislator (11 percent), agriculture (10 percent) and educator (8 percent).[14]

The number of women and minorities serving in state legislatures continues to grow. In 1991, 1,351 legislators or 18 percent of the total were women. This is a four-fold increase since 1969, when 301 or 4 percent of all legislators were women.[15] As the number of women lawmakers increases, more women are holding legislative leadership positions. In 1992, 18 women held positions as presiding officer, majority or minority leader, compared to four women holding similar positions in 1979. In 1991, there were 430 African-American legislators (5.8 percent of all legislators) and 128 Hispanic state legislators (1.7 percent of all legislators).[16]

Bill Introductions

Two tools legislatures use to manage their workloads are limits on the number of bills introduced and deadlines for introducing bills. The Colorado, Indiana, Michigan, Montana, Nevada and North Dakota legislatures and the California Senate, Florida House, Hawaii House and Tennessee Senate limit the number of bills members can introduce. For example, Colorado limits a member to five bills in each regular session of the General Assembly.

Forty-five legislatures have deadlines for bill introductions and 46 allow pre-filing. (See Table 3.19) These procedures are designed to encourage bill introductions earlier in the session so that committees can begin work upon convening. In addition, 14 legislative chambers use proposed, short form or skeleton bills. If, after initial consideration, there is interest in pursuing the policies embodied in the skeleton bills a complete bill will be drafted. By using skeleton bills, the legislature reduces the number of full bills introduced, eases the burden on bill drafters and gives committees the opportunity to combine duplicate proposals into a single bill.[17]

From 1975 to 1988, state legislatures considered an average of 190,000 bills each biennium. The number introduced in each state during a biennium varied from a low of about 1,000 in Alaska, Colorado, North Dakota, Vermont and Wyoming to highs of more than 18,000 in Massachusetts and 30,000 in New York. During the same period, legislatures passed an average of 22.8 percent of all bills introduced or about 43,000 bills in an average biennium.[18]

Legislative Compensation

Adequate pay for state legislators was a key recommendation of the legislative reform movement. Proponents argued that increased salaries, additional staff resources and extended time in session would help attract and retain high quality members. In the mid-1960s, the salaries of lawmakers in 26 states were set by their constitutions. Because of the difficultly of adjusting salaries set in state constitutions, legislative reformers recommended that they be removed from the constitution. Currently, only six states retain constitutional limits on legislative pay. These states pay relatively low salaries, such as Alabama's $10 per day for 30 session days, New Hampshire's $100 per year, and Rhode Island's $5 per day for 60 session days. (See Table 3.11)

Deciding appropriate salaries for state legislators is a difficult task that involves balancing the philosophical idea of a citizen legislature with the practical considerations of the time and cost of serving in the legislature. Legislatures in 27 states are responsible for setting their own salaries. Compensation commissions are used in 20 states. In most of these states, the legislature must approve the commission's recommendations before they can take effect. However, in five states (Delaware, Hawaii, Idaho, Michigan and Washington), the commission's recommendations go into effect immediately, unless rejected by the legislature. In Oklahoma, the Compensation Review Board sets legislators' salaries without approval or rejection by the legislature. In Arizona, the recommendations of the compensation commission are submitted to a vote of the people. (See Table 3.8) Eight states (Alaska, Florida, Georgia, Kansas, Missouri, Montana, North Carolina and Wisconsin) tie legislator's salaries to those of other state employees. (See Table 3.9)

In 1992, salaries range from a low of $100 per year in New Hampshire to a high of

$57,500 per year in New York. Ten states will pay lawmakers annual salaries of $30,000 or more in 1992 with half of these states' annual salaries exceeding $40,000. (See Table 3.11) All but five states pay legislators a per diem to cover living expenses. In 43 states, presiding officers and majority or minority leaders receive additional compensation. In 18 states, additional pay is given to other leaders such as deputy leaders, assistant leaders, whips, caucus chairs, speakers pro tem and policy chairs. Committee chairs get extra pay in 16 states. In nine of these states extra pay is given to all chairs; in the other seven, it is limited to specific committees such as finance or ways and means. (See Tables 3.13 and 3.14)

In addition to salaries, legislators are eligible for retirement benefits in 41 states. (See Table 3.15) The 1990 citizen initiative adopted by California voters that limits legislators' terms also eliminated lawmakers' retirement benefits. Lawmakers elected to the California Legislature in 1990 and beyond are not eligible to participate in the legislative retirement system. The state Supreme Court ruled that lawmakers elected before 1990, who currently participate in the legislative retirement system, can remain in the system.[19]

Legislators in 46 states receive various insurance benefits such as health and hospitalization, dental, life, disability and optical. In most of these states, legislators receive the same insurance benefits as state employees. California and Pennsylvania provide monthly allowances to lease automobiles, and certain legislative leaders in Arkansas, Missouri, New Jersey and Washington are provided a state car.

Office expense, staffing allowances, or both, are paid to legislators in 28 states. These range from a relatively small postage allowance in Minnesota to staffing allowances in excess of $100,000 for members in California, New York, Texas and the Michigan Senate.[20]

Legislative Staffing

Legislative staff are the cornerstone of the modern state legislature. The growth and development of staff has significantly affected the operations of state legislatures. Through their ability to gather, evaluate, process and synthesize information, staff provide legislatures with greater independence. No longer must lawmakers rely exclusively on information provided by lobbyists and executive agencies.

The Wisconsin Legislative Reference Bureau, founded in 1901, was the nation's first permanent legislative staff. Until then, staff was generally limited to the clerk and secretary, two positions derived from English parliamentary tradition. In 1933, Kansas created the nation's first legislative council staff, and throughout the 1940s and 1950s a majority of states created similar operations. Council staff were organized on a nonpartisan basis to provide research, bill drafting and policy analysis to members of both chambers. By the early 1960s, 44 legislatures had legislative councils.

Specialized staff were added beginning in the 1950s with the appearance of fiscal and budget staff. By 1975, all 50 states had staff to provide independent budget analysis and fiscal information. Post audit and program evaluation staff were added to legislatures in the early 1970s, with most states adopting this capability by the mid-1980s. Computer staff, science and technical staff and a wide range of specialists were added to legislatures throughout the 1980s.

Legislative staffing underwent several significant changes during the 1980s. First, the number of staff working in state legislatures grew by approximately 24 percent, from almost 27,000 total staff in 1979 to more than 33,000 total staff by 1988. Most of the increase came in the area of full-time professional staff, which grew by 5,400 or almost 65 percent. The number of session-only staff declined by 12 percent during the same period. States with the largest legislative staffs in 1988 were (in rank order) New York, California, Pennsylvania, Texas, Florida, Illinois and Michigan.[21]

Second, the decentralization of legislative staff continued throughout the 1980s, as legislatures added personal staff for individual legislators, party caucus staff and legislative committee policy staff.

During the early 1990s, budget problems in many states have slowed the growth in the number of legislative staff. Fiscal constraints have altered the staff's working conditions as concerns about layoffs, furloughs and salary freezes spread. Proposition 140, which limited the terms of California lawmakers, also set a $115 million ceiling on total legislative expenditures, which reduced the legislature's budget by 38 percent. As a result, more than 600 staffers were laid off. The legislature is attempting to restructure the legislative analyst's office and the auditor general's office as quasi-legislative agencies so their costs will not count against the ceiling. Other legislative staff operations have been made part of the state library to remove them from the ceiling. Other state legislatures have had to cut staff to balance their budgets. The number of session staff hired in Maryland and Washington, for example, was reduced, and Maine and Maryland staff were forced to take furlough days. Legislative staff salaries in Michigan will be frozen in fiscal year 1993.

The growth and professionalization of legislative staff have created a need for improved personnel management systems. Within the last two years, the South Dakota legislature undertook a comprehensive review of its position classification and pay plan, and Delaware, Maryland and West Virginia conducted studies of their legislative staff structure. Formal performance evaluation systems have been established in a majority of the states, and programs that offer professional development for staff are being implemented in a number of legislatures.

Legislative Facilities

Legislatures have come a long way from the time when the only space lawmakers had was a desk on the chamber floor. Modern telecommunications and computer technology, longer sessions, increased public desire for access to the legislature and the expanding number of staff are some of the factors driving the legislatures' need for additional and more sophisticated space. States are balancing this need for additional space with the need to maintain the historical integrity of their capitols. Within the last five years, Connecticut opened a new office building, Pennsylvania added a new wing to its main Capitol, and Wisconsin moved legislative staff into leased space outside of the Capitol. Texas is constructing a legislative office building, and Michigan is renovating the buildings in the Capitol complex and continuing to restore the Capitol. Michigan staff will be moved out of the Capitol and into nearby renovated buildings. New space was created for staff and members during restoration of the State House in New Jersey and the Capitol in New Mexico. During the 1980s, California, Connecticut, Indiana, Michigan, Minnesota, Mississippi, New York, Pennsylvania, Tennessee and Wisconsin completed major projects to restore and preserve the historic quality of their capitols. Ohio is currently restoring its Capitol, and Oklahoma is beginning a fund-raising effort to pay for the costs of putting a dome on its Capitol (the original building plans called for one, but funds ran out before it could be added).

Information Systems

The evolution of computer technology — particularly the development of powerful, relatively inexpensive personal computers — has changed significantly the operations of state legislatures. Computers have enhanced the legislatures' policymaking capacity, increased the efficiency of legislative functions such as bill drafting and journal production and expanded legislators' ability to provide constituent services. Through networking capabilities, legislative computer systems can be connected with executive agency systems, and the legislature's computers in different locations can be linked. During the last biennium, North Carolina revamped the system by which the legislature receives executive agency expenditure data when entered into the agencies' systems. Washington's legislature also receives expenditure data when entered on the executive agencies' systems and uses the data for budget analysis with spreadsheet software. California, Florida and New Jersey link computers in district offices with the legislature's main information system at the capital. California, Florida and Washington are among the states that use computer technology to produce the legislature's journal. By using computer software for layout and by electronically transmitting the information to the printer, the journals are produced more quickly and cheaply. Minnesota and Wisconsin are among the legislatures using advanced technology such as CD ROM, thus enhancing public access to state statutes.

The increase in members who are familiar with computers is driving the type and level of computer technology within legislatures. More lawmakers want access through the legislature's information systems to commercial spreadsheet and word processing software packages they use in their private lives. The use of computer systems to answer and track constituent requests is growing. Legislatures in several states combine voter registration and census data to build data bases on voters and, in turn, use this information to answer constituent requests. The types of issues citizens are concerned about can be tracked and tickler files created to ensure requests are answered. The California Assembly, Louisiana Senate and the Washington Legislature are using these types of systems.

The emphasis in legislatures is shifting toward personal computers and local area networks and away from central, mainframe systems. In 1990, the Michigan Senate installed computers on the floor for every senator who wanted one. Senators vote through the computer, review bills and proposed amendments, receive messages via electronic mail, and access the system in their offices to draft correspondence and communicate with staff. In the 1991 session, 24 North Dakota legislators participated in a project that placed computer terminals at their desks in the chambers. Bill books, journals and calendars were replaced by terminals. During the 1992 session, the Florida House installed computers on the floor, with capabilities similar to those in the Michigan Senate. Kentucky has developed an Executive Information System that gathers data from executive agencies' systems and organizes it into reports for lawmakers.

Party Control

Democrats maintained control of state legislatures in the early 1990s. A great deal of attention was focused on the 1990 legislative elections because the members chosen in that election would be responsible for drawing the new maps for legislative districts following reapportionment (this is true for most states, although 11 legislatures do not initially draw legislative districts). Throughout the 1980s, Republicans poured money and other resources into legislative elections to increase the number of chambers under their control prior to the decennial redistricting process. This strategy did not pay off as Republicans controlled fewer legislatures after the 1990 elections than they did following the 1980 elections — five compared to 15 — the same number as their post-Watergate low during the 1975-77 biennium. They picked up an additional legislature in the 1991 elections as New Jersey swung from Democratic control of both chambers to veto-proof Republican majorities in both chambers.[22]

Democrats controlled 29 legislatures following the 1991 elections, the Republicans controlled six, and in 14 states each party controlled one chamber (the Nebraska Unicameral is elected on a nonpartisan basis). There were 4,415 Democratic lawmakers following the 1991 elections, 2,959 Republicans, 11 independents and 27 seats were vacant.[23]

Although Republicans failed to increase their control of legislative chambers during the 1980s, they increased their strength in the South and now hold more seats than ever before in that region. In the 1991 elections, Virginia Republicans gained eight seats in the Senate, bringing them to within four seats of the Democrats (22-18). They picked up one seat in the House, reducing a 49-seat Democratic advantage following the 1980 election to a 16-seat edge following the 1991 election. Mississippi Republicans gained five seats in the House and elected a governor (the first Republican since 1870) and lieutenant governor. However, Mississippi lawmakers will run again in 1992 because they failed to adopt a redistricting plan in time for the 1991 elections. Republicans did not fare as well in

Louisiana, losing a Senate seat and three House seats.

The use of cross-party coalitions to organize legislatures has not been as prominent following the 1990 elections as it was during the 1989-1990 biennium. Cross-party coalitions are no longer in control of the North Carolina House, the Florida Senate or the Tennessee Senate. In an unusual approach to legislative organization, the Alaska Senate, with equal numbers of Republicans and Democrats, is controlled by a coalition comprised of all members. The Idaho Senate was tied following the 1990 election and the Republican lieutenant governor voted to elect a Republican as president pro tem. The Idaho Supreme Court ruled in a suit filed by Democrats that the lieutenant governor can vote during the Senate's organizational session without violating the separation of powers clause. The Vermont Senate was tied following the 1990 vote, but the two parties agreed to a power-sharing arrangement in which each controlled committee chairmanships and leadership positions.

The Evolving Legislature

The legislative modernization movement was successful in strengthening state legislatures. They are independent institutions fully capable of devising innovative and imaginative solutions to complex and challenging public policy issues. The transfer of responsibilities to the states from the federal government combined with the legislatures' increased capacity has propelled legislatures to the forefront of the policy debate on a wide range of issues including education, economic development, health care, delivery of social services and environmental protection.

However, the reforms have left several problems in their wake. Increased staff, better office space including district offices and access to computers, and the ability to raise campaign funds directly from political action committees, have made the individual legislator more independent. Consequently, the power of legislative leaders to forge consensus on divisive issues has declined.

Higher salaries, better working conditions and greater visibility have attracted people to the legislature who consider politics their career. The number of full-time legislators is growing as is the number of lawmakers who come to the legislature with little work experience or from other careers in government and politics. These members want to stay in public office for the long term, rarely leave the legislature voluntarily and increasingly have ambitions for higher office. They devote considerable attention to their re-election efforts and to constituent service. They are pushing legislatures to become more professional, full-time bodies, even though many lawmakers do not want to move in this direction. The struggle between forces driving legislatures to become full-time and those fighting to maintain a part-time citizen legislature is likely to intensify in many states during the 1990s.

At several conferences sponsored by the National Conference of State Legislatures and the Eagleton Institute of Politics, lawmakers, political scientists and other observers agreed that legislatures should avoid becoming highly professional bodies like the U.S. Congress. According to Burdett A. Loomis, political science professor at the University of Kansas, "The central problem remains today what it was in many ways twenty years ago, how to balance the value of a citizen legislature against the need for enhanced expertise and experience in dealing with increasingly large, difficult and complex problems facing the states."[24]

Efforts are under way that could form the beginning of a second legislative reform movement. The National Conference of State Legislatures, the Eagleton Institute of Politics, legislatures and other academic and legislative groups are focusing attention on the health of the legislative institution. They are concerned about the lack of public confidence in the legislatures' ability to solve state problems and what can be done to reverse the slide in public approval ratings. Their efforts will focus on long-term trends and solutions. In the meanwhile, given the public mood toward politicians and the effects of redistricting, it is likely that legislative turnover will be higher than usual in the 1992 elections, and that term limits will spread to more states.

Notes

[1] Karl T. Kurtz, *The Public Standing of the Legislature*. A paper prepared for the Symposium on the Legislature in the Twenty-First Century, National Conference of State Legislatures, Williamsburg, Va., March 1990.

[2] John Burns, *The Sometime Governments* (New York: Bantam Books, 1971) pp. 27-34.

[3] The Council of State Governments, *The Book of the States 1966-67* ed. (Lexington, Kentucky: The Council of State Governments, 1966) p. 38.

[4] Burns, *The Sometime Governments*, p. 32.

[5] Alan Ehrenhalt, "An Embattled Institution," *Governing*, January 1992, p. 30.

[6] Ibid.

[7] National Conference of State Legislatures, *Leaders' Letter*, November 1991, p. 3.

[8] Nancy Rhyme, "Washington Rejects Term Limits," *State Legislatures*, December 1991, p. 13.

[9] *Legislature of the State of California v. Eu*, 54 Cal. 3D 492, 286 Cal. Rptr. 283, 816 P.2D 1309, 1991.

[10] Stuart Rothenberg, "How Term Limits Became a National Phenomenon," *State Legislatures*, January 1992, pp. 35-37.

[11] National Conference of State Legislatures, *Turnover in State Legislatures* 1979-1989, April 1991.

[12] Tim Storey, "Drawing Lines Without Drawing Fire," *State Legislatures*, July 1991, pp. 45-49.

[13] Karl T. Kurtz, "State Legislatures: Progress, Problems, and Possibilities," Eagleton Institute of Politics and National Conference of State Legislatures, draft publication, March 1992, pp. 3-7.

[14] Beth Bazar, *State Legislators' Occupations: A Decade of Change*, (Denver, Colo. National Conference of State Legislatures, 1987), pp. 1-6.

[15] Center for the American Woman and Politics, National Information Bank on Women in Public Office, Eagleton Institute of Politics, Rutgers University, January 1991.

[16] National Conference of State Legislatures, *A Compilation of Black and Hispanic Legislators*. November 1990.

[17] American Society of Legislative Clerks and Secretaries and National Conference of State Legislatures, *Inside the Legislative Process*, 1992 ed., (Denver, Colo. National Conference of State Legislatures, 1992).

[18] National Conference of State Legislatures. Compilation of bill introduction and passage rates, 1975-1988. 1991.

[19] *Legislature of the State of California v. Eu*, 54 Cal.3D 492, 286 Cal. Rptr. 283, 816 P.2D 1309, 1991.

[20] The data on legislative compensation is taken from the National Conference of State Legislatures 1991 and 1992 compensation surveys. Salaries and per diems reflect those paid as of Jan. 30, 1992. Retirement and health benefits reflect those paid as of Jan. 30, 1991.

[21] Brian Weberg, "Changes in Legislative Staff," *Journal of State Government* 61 (November/December 1988): pp. 191-197.

[22] Karen Hansen, "To the Democrats Go the Spoils," *State Legislatures*, November/December 1990, p. 15.

[23] National Conference of State Legislatures, *Partisan Composition of State Legislatures*, Nov. 21, 1991.

[24] Burdett A. Loomis, *Political Careers and American State Legislatures*. A paper prepared for the Symposium on the Legislature in the Twenty-First Century, Williamsburg, Va., March 1990, p. 27.

Table 3.1
NAMES OF STATE LEGISLATIVE BODIES AND CONVENING PLACES

State or other jurisdiction	*Both bodies*	*Upper house*	*Lower house*	*Convening place*
Alabama	Legislature	Senate	House of Representatives	State House
Alaska	Legislature	Senate	House of Representatives	State Capitol
Arizona	Legislature	Senate	House of Representatives	State Capitol
Arkansas	General Assembly	Senate	House of Representatives	State Capitol
California	Legislature	Senate	Assembly	State Capitol
Colorado	General Assembly	Senate	House of Representatives	State Capitol
Connecticut	General Assembly	Senate	House of Representatives	State Capitol
Delaware	General Assembly	Senate	House of Representatives	Legislative Hall
Florida	Legislature	Senate	House of Representatives	The Capitol
Georgia	General Assembly	Senate	House of Representatives	State Capitol
Hawaii	Legislature	Senate	House of Representatives	State Capitol
Idaho	Legislature	Senate	House of Representatives	State Capitol
Illinois	General Assembly	Senate	House of Representatives	State House
Indiana	General Assembly	Senate	House of Representatives	State House
Iowa	General Assembly	Senate	House of Representatives	State Capitol
Kansas	Legislature	Senate	House of Representatives	State Capitol
Kentucky	General Assembly	Senate	House of Representatives	State Capitol
Louisiana	Legislature	Senate	House of Representatives	State Capitol
Maine	Legislature	Senate	House of Representatives	State House
Maryland	General Assembly	Senate	House of Delegates	State House
Massachusetts	General Court	Senate	House of Representatives	State House
Michigan	Legislature	Senate	House of Representatives	State Capitol
Minnesota	Legislature	Senate	House of Representatives	State Capitol
Mississippi	Legislature	Senate	House of Representatives	New Capitol
Missouri	General Assembly	Senate	House of Representatives	State Capitol
Montana	Legislature	Senate	House of Representatives	State Capitol
Nebraska	Legislature	(a)		State Capitol
Nevada	Legislature	Senate	Assembly	Legislative Building
New Hampshire	General Court	Senate	House of Representatives	State House
New Jersey	Legislature	Senate	General Assembly	State House
New Mexico	Legislature	Senate	House of Representatives	State Capitol
New York	Legislature	Senate	Assembly	State Capitol
North Carolina	General Assembly	Senate	House of Representatives	State Legislative Building
North Dakota	Legislative Assembly	Senate	House of Representatives	State Capitol
Ohio	General Assembly	Senate	House of Representatives	State House
Oklahoma	Legislature	Senate	House of Representatives	State Capitol
Oregon	Legislative Assembly	Senate	House of Representatives	State Capitol
Pennsylvania	General Assembly	Senate	House of Representatives	Main Capitol Building
Rhode Island	General Assembly	Senate	House of Representatives	State House
South Carolina	General Assembly	Senate	House of Representatives	State House
South Dakota	Legislature	Senate	House of Representatives	State Capitol
Tennessee	General Assembly	Senate	House of Representatives	State Capitol
Texas	Legislature	Senate	House of Representatives	State Capitol
Utah	Legislature	Senate	House of Representatives	State Capitol
Vermont	General Assembly	Senate	House of Representatives	State House
Virginia	General Assembly	Senate	House of Delegates	State Capitol
Washington	Legislature	Senate	House of Representatives	Legislative Building
West Virginia	Legislature	Senate	House of Delegates	State Capitol
Wisconsin	Legislature	Senate	Assembly (b)	State Capitol
Wyoming	Legislature	Senate	House of Representatives	State Capitol
Dist. of Columbia	Council of the District of Columbia	(a)		District Building
American Samoa	Legislature	Senate	House of Representatives	Maota Fono
Guam	Legislature	(a)		Congress Building
No. Mariana Islands	Legislature	Senate	House of Representatives	Civic Center Building
Puerto Rico	Legislative Assembly	Senate	House of Representatives	The Capitol
Federated States of Micronesia	Congress	(a)		Congress Office Building
U.S. Virgin Islands	Legislature	(a)		Capitol Building

(a) Unicameral legislature. Except in Dist. of Columbia, members go by the title Senator.

(b) Members of the lower house go by the title Representative.

Table 3.3
THE LEGISLATORS
Numbers, Terms, and Party Affiliations
(As of May 1992)

State or other jurisdiction	*Senate*						*House*						*Senate and House totals*
	Democrats	*Republicans*	*Other*	*Vacancies*	*Total*	*Term*	*Democrats*	*Republicans*	*Other*	*Vacancies*	*Total*	*Term*	
All states	1,186	757	2	...	1,995		3,242	2,202	8	14	5,466		7,461
Alabama	28	7	...	...	35	4	82	23	...	...	105	4	140
Alaska	10	10	...	...	20	4	23	17	...	...	40	2	60
Arizona	17	13	...	...	30	2	27	33	...	...	60	2	90
Arkansas	31	4	...	...	35	4	90	9	...	1	100	2	135
California	25	13	2 (a)	...	40	4	47	33	...	...	80	2	120
Colorado	12	23	...	...	35	4	27	38	...	...	65	2	100
Connecticut	20	16	...	...	36	2	87	64	...	...	151	2	187
Delaware	15	6	...	...	21	4	17	24	...	...	41	2	62
Florida	22	18	...	...	40	4	74	46	...	...	120	2	160
Georgia	45	11	...	...	56	2	145	35	...	...	180	2	236
Hawaii	22	3	...	...	25	4	45	6	...	...	51	2	76
Idaho	21	21	...	...	42	2	28	56	...	...	84	2	126
Illinois	31	28	...	...	59	4 (b)	72	46	...	...	118	2	177
Indiana	24	26	...	...	50	4	52	48	...	...	100	2	150
Iowa	29	21	...	...	50	4	55	45	...	...	100	2	150
Kansas	18	22	...	...	40	4	63	62	...	...	125	2	165
Kentucky	27	11	...	...	38	4	68	32	...	...	100	2	138
Louisiana	34	5	...	...	39	4	89	16	...	...	105	4	144
Maine	21	14	...	...	35	2	97	54	...	...	151	2	186
Maryland	38	9	...	...	47	4	116	25	...	...	141	4	188
Massachusetts	25	15	...	...	40	2	118	37	1 (a)	4	160	2	200
Michigan	18	20	...	...	38	4	61	49	...	...	110	2	148
Minnesota	46 (c)	21 (d)	...	...	67	4	78 (c)	56 (d)	...	...	134	2	201
Mississippi	43	9	...	...	52	4	98	23	1 (a)	...	122	4	174
Missouri	23	11	...	...	34	4	99	64	...	...	163	2	197
Montana	29	21	...	...	50	4 (e)	61	39	...	...	100	2	150
Nebraska	Nonpartisan election				49	4	Unicameral						49
Nevada	10	10	...	1	21	4	22	19	...	1	42	2	63
New Hampshire	11	13	...	...	24	2	125	268	2 (a,f)	5	400	2	424
New Jersey	13	27	...	...	40	4 (g)	22	58	...	...	80	2	120
New Mexico	26	16	...	...	42	4	49	21	...	...	70	2	112
New York	26	35	...	...	61	2	95	55	...	...	150	2	211
North Carolina	36	14	...	...	50	2	81	39	...	...	120	2	170
North Dakota	27	26	...	...	53 (h)	4	48	58	...	...	106 (h)	2	159
Ohio	12	21	...	...	33	4	61	38	...	...	99	2	132
Oklahoma	37	11	...	...	48	4	68	33	...	...	101	2	149
Oregon	20	10	...	...	30	4	28	32	...	...	60	2	90
Pennsylvania	24	26	...	...	50	4	107	94	...	2	203	2	253
Rhode Island	45	5	...	...	50	2	89	11	...	...	100	2	150
South Carolina	33	13	...	...	46	4	79	43	1 (a)	1	124	2	170
South Dakota	17	18	...	...	35	2	25	45	...	...	70	2	105
Tennessee	20	13	...	...	33	4	57	42	...	...	99	2	132
Texas	22	9	...	...	31	4	93	57	...	...	150	2	181
Utah	10	19	...	...	29	4	31	44	...	...	75	2	104
Vermont	15	15	...	...	30	2	73	75	2 (a)	...	150	2	180
Virginia	22	18	...	...	40	4	58	41	1 (a)	...	100	2	140
Washington	24	25	...	...	49	4	58	40	...	...	98	2	147
West Virginia	33	1	...	...	34	4	74	26	...	...	100	2	134
Wisconsin	19	14	...	...	33	4	58	41	...	...	99	2	132
Wyoming	10	20	...	...	30	4	22	42	...	...	64	2	94
Dist. of Columbia (i)	12	0	1 (a)	...	13	4	Unicameral						13
American Samoa	Nonpartisan selection			4	18	4	Nonpartisan election			...	21	2	39
Guam	11	10	...	...	21	2	Unicameral						21
No. Mariana Islands	3	6	...	...	9	4	6	10	2 (a)	...	18	2	27
Puerto Rico	19 (j)	7 (k)	1 (l)	...	27	4	35 (j)	13 (k)	2 (l)	3	53	4	80
U.S. Virgin Islands	6	2	7 (m)	...	15	2	Unicameral						15

(a) Independent.

(b) The entire Senate is up for election every 10 years, beginning in 1972. Senate districts are divided into three groups. One group elects senators for terms of 4-years, 4-years, and 2-years, the second group for terms of 4-years, 2-years, and 4-years, the third group for terms of 2-years, 4-years, and 4-years.

(c) Democrat-Farmer-Labor.

(d) Independent-Republican.

(e) After each decennial reapportionment, lots are drawn for half of the senators to serve an initial 2-year term. Subsequent elections are for 4-year terms.

(f) Independent-Democrat.

(g) Senate terms beginning in January of second year following the U.S. decennial census are for 2 years only.

(h) As a result of redistricting, the membership of the legislature will decrease to: Senate-49 members and House-98 members. The new membership will go into effect with the 1992 elections.

(i) Council of the District of Columbia.

(j) Popular Democratic Party.

(k) New Progressive Party.

(l) Puerto Rican Independent.

(m) Independent (3); Independent Citizens Movement (4).

Table 3.4
MEMBERSHIP TURNOVER IN THE LEGISLATURES: 1990

State	Senate			House		
	Total number of members	*Number of membership changes*	*Percentage change of total*	*Total number of members*	*Number of membership changes*	*Percentage change of total*
Alabama	35	11	31	105	27	26
Alaska	20 (a)	5	25	40	16	40
Arizona	30	10	33	60	15	25
Arkansas	35 (a)	7	20	100	17	17
California	40 (a)	7	18	80	16	20
Colorado	35 (a)	6	17	65	14	22
Connecticut	36	10	28	151	27	18
Delaware	21	2	10	41	3	7
Florida	40 (a)	8	20	120	22	18
Georgia	56	16	29	180	44	23
Hawaii	25 (a)	2	8	51	9	18
Idaho	42	15	36	84	24	29
Illinois	59 (a)	4	7	118	20	17
Indiana	50 (a)	6	12	100	17	17
Iowa	50 (a)	9	18	100	20	20
Kansas	40	1	3	125	37	29
Kentucky	38 (a)	12	29	100	14	15
Louisiana	39 (b)	0	. . .	105 (b)	6	7
Maine	35	8	23	151	38	25
Maryland	47	11	23	141	37	26
Massachusetts	40	15	38	160	41	26
Michigan	38	11	29	110	22	20
Minnesota	67	17	25	134	25	18
Mississippi	52 (b)	1	2	122 (b)	5	4
Missouri	34 (a)	7	21	163	33	20
Montana	50 (a)	16	32	100	32	32
Nebraska	49 (a)	9	18	Unicameral		
Nevada	21 (a)	5	24	42	22	52
New Hampshire	24	10	42	400	132	33
New Jersey	40 (b)	8	20	80 (b)	17	21
New Mexico	42	1	2	70	14	20
New York	61	8	13	150	20	13
North Carolina	50	11	22	120	25	21
North Dakota	53 (a)	14	26	106	44	42
Ohio	33 (a)	5	15	99	14	14
Oklahoma	48 (a)	8	17	101	29	29
Oregon	30 (a)	1	3	60	12	20
Pennsylvania	50 (a)	5	10	203	32	16
Rhode Island	50	13	26	100	19	19
South Carolina	46	3	7	124	23	19
South Dakota	35	11	31	70	19	27
Tennessee	33 (a)	6	18	99	23	23
Texas	31 (a)	7	23	150	38	25
Utah	29 (a)	7	24	75	19	25
Vermont	30	7	23	150	40	27
Virginia	40 (b)	0	. . .	100 (b)	16	16
Washington	49 (a)	8	16	98	24	24
West Virginia	34 (a)	11	32	100	44	44
Wisconsin	33 (a)	8	24	99	17	17
Wyoming	30 (a)	4	13	64	14	22

Note: Turnover calculated after 1990 legislative elections. Data was obtained by comparing the 1989-90 and 1991-92 editions of *State Elective Officials and the Legislatures*, published by The Council of State Governments.

(a) Entire Senate membership not up for reelection in 1990.
(b) Election held in 1991.

Table 3.5
THE LEGISLATORS: QUALIFICATIONS FOR ELECTION

	House					Senate				
State or other jurisdiction	*Minimum age*	*U.S. citizen (years)*	*State resident (years)*	*District resident (years)*	*Qualified voter (years)*	*Minimum age*	*U.S. citizen (years)*	*State resident (years)*	*District resident (years)*	*Qualified voter (years)*
Alabama	21	. . .	3 (a)	1	. . .	25	. . .	3 (a)	1	. . .
Alaska	21	. . .	3	1	★	25	. . .	3	1	★
Arizona	25	★	3	1	. . .	25	★	3	1	. . .
Arkansas	21	★	2	1	. . .	25	★	2	1	. . .
California	18	3	3	1	★	18	3	3	1	★
Colorado	25	★	. . .	1	. . .	25	★	. . .	1	. . .
Connecticut	18	. . .	. . .	★	★	18	. . .	. . .	★	★
Delaware	24	. . .	3 (a)	1	. . .	27	. . .	3 (a)	1	. . .
Florida	21	. . .	2	★	★	21	. . .	2	★	★
Georgia	21	★	2 (a)	1	. . .	25	★	2 (a)	1	. . .
Hawaii	18	. . .	3	(b)	★	18	. . .	3	(b)	★
Idaho	18	★	. . .	1	★	18	★	. . .	1	★
Illinois	21	★	. . .	2 (c)	. . .	21	★	. . .	2 (c)	. . .
Indiana	21	★	2	1	. . .	25	★	2	1	. . .
Iowa	21	★	1	60 days	. . .	25	★	1	60 days	. . .
Kansas	18	. . .	. . .	★	★	18	. . .	. . .	★	★
Kentucky	24	. . .	2 (a)	1	. . .	30	. . .	6 (a)	1	. . .
Louisiana	18	. . .	2	1	★	18	. . .	2	1	★
Maine	21	5	1	3 mo.	. . .	25	5	1	3 mo.	. . .
Maryland	21	. . .	1 (a)	6 mo. (d)	. . .	25	. . .	1 (a)	6 mo. (d)	. . .
Massachusetts	18	. . .	. . .	1	. . .	18	. . .	5	★	. . .
Michigan (e)	21	★	. . .	(b)	★	21	★	. . .	(b)	★
Minnesota	21	. . .	1	6 mo.	★	21	. . .	1	6 mo.	★
Mississippi	21	. . .	4 (a)	2	★	25	. . .	. . .	. . .	4
Missouri	24	. . .	. . .	1 (f)	2	30	. . .	. . .	1 (f)	3
Montana (g)	18	. . .	1	6 mo. (h)	. . .	18	. . .	1	6 mo. (h)	. . .
Nebraska	U	U	U	U	U	21	. . .	. . .	1	★
Nevada	21	. . .	1 (a)	30 days	★	21	. . .	1 (a)	30 days	★
New Hampshire	18	. . .	2	★	. . .	30	. . .	7 (a)	★	. . .
New Jersey	21	. . .	2 (a)	1	★	30	. . .	4 (a)	1	★
New Mexico	21	. . .	. . .	★	. . .	25	. . .	. . .	★	. . .
New York	18	★	5	1 (i)	. . .	18	★	5	1 (i)	. . .
North Carolina	(j)	★	1	1	★	25	★	2 (a)	1	★
North Dakota	18	. . .	1	(b)	★	18	. . .	1	(b)	★
Ohio (k)	18	. . .	. . .	1	★	18	. . .	. . .	1	★
Oklahoma	21	. . .	. . .	(b)	★	25	. . .	. . .	(b)	★
Oregon	21	★	. . .	1	. . .	21	★	. . .	1	. . .
Pennsylvania	21	. . .	4 (a)	1	. . .	25	. . .	4 (a)	1	. . .
Rhode Island (l)	18	. . .	. . .	. . .	★	18	. . .	. . .	. . .	★
South Carolina	21	. . .	. . .	(b)	★	25	. . .	. . .	(b)	★
South Dakota (k,l)	25	★	2	(b)	★	25	★	2	(b)	★
Tennessee	21	★	3 (a)	1 (b)	★	30	★	3	1 (b)	★
Texas	21	★	2	1	★	26	★	5	1	★
Utah	25	★	3	6 mo. (b)	★	25	★	3	6 mo. (b)	★
Vermont	18	. . .	2	1	. . .	18	. . .	2	1	. . .

See footnotes at end of table.

Table 3.2
LEGISLATIVE SESSIONS: LEGAL PROVISIONS

	Regular sessions				*Special sessions*		
		Legislature convenes					
State or other jurisdiction	*Year*	*Month*	*Day*	*Limitation on length of session* (a)	*Legislature may call*	*Legislature may determine subject*	*Limitation on length of session*
Alabama	Annual	Jan. Apr. May	2nd Tues. (b) 3rd Tues. (c,d) 1st Tues. (e)	30 L in 105 C	No	Yes (f)	12 L in 30 C
Alaska	Annual	Jan. Jan.	3rd Mon. (c) 2nd Mon. (e)	120 C (g)	By 2/3 vote of members	Yes (h)	30 C
Arizona	Annual	Jan.	2nd Mon.	(i)	By petition, 2/3 members, each house	Yes (h)	None
Arkansas	Biennial-odd year	Jan.	2nd Mon.	60 C (g)	No	Yes (f,j)	(j)
California	(k)	Jan.	1st Mon. (d)	None	No	No	None
Colorado	Annual	Jan.	Wed. after 1st Tues.	120 C	By request, 2/3 members, each house	Yes (h)	None
Connecticut	Annual (l)	Jan. Feb.	Wed. after 1st Mon. (m) Wed. after 1st Mon. (n)	(o)	Yes (p)	(p)	None (q)
Delaware	Annual	Jan.	2nd Tues.	June 30	Joint call, presiding officers, both houses	Yes	None
Florida	Annual	Feb.	Tues. after 1st Mon. (d)	60 C (g)	Joint call, presiding officers, both houses	Yes	20 C (g)
Georgia	Annual	Jan.	2nd Mon. (d)	40 L	By petition, 3/5 members, each house	Yes (h)	(r)
Hawaii	Annual	Jan.	3rd Wed.	60 L (g)	By petition, 2/3 members, each house	Yes	30 L (g)
Idaho	Annual	Jan.	Mon. on or nearest 9th day	None	No	No	20 C
Illinois	Annual	Jan.	2nd Wed.	None	Joint call, presiding officers, both houses	Yes	None
Indiana	Annual	Jan.	2nd Mon. (d,s)	odd-61 L or Apr. 30; even-30 L or Mar. 15	No	Yes	30 L or 40 C
Iowa	Annual	Jan.	2nd Mon.	(t)	By petition, 2/3 members, both houses	Yes	None
Kansas	Annual	Jan.	2nd Mon.	odd-None; even-90 C (g)	Petition to governor of 2/3 members, each house	Yes	None
Kentucky	Biennial-even yr.	Jan.	Tues. after 1st Mon. (d)	60 L (u)	No	No	None
Louisiana	Annual	Apr.	3rd Mon.	60 L in 85 C	By petition, majority, each house	Yes (h)	30 C
Maine	(k,l)	Dec. Jan.	1st Wed. (b) Wed. after 1st Tues. (n)	3rd Wed. of June (g) 3rd Wed. of April (g)	Joint call, presiding officers, with consent of majority of members of each political party, each house	Yes (h)	None
Maryland	Annual	Jan.	2nd Wed.	90 C (g)	By petition, majority, each house	Yes	30 C
Massachusetts	Annual	Jan.	1st Wed.	None	By petition (v)	Yes	None
Michigan	Annual	Jan.	2nd Wed. (d)	None	No	No	None

See footnotes at end of table.

LEGISLATIVE SESSIONS: LEGAL PROVISIONS—Continued

	Regular sessions				*Special sessions*		
		Legislature convenes					
State or other jurisdiction	*Year*	*Month*	*Day*	*Limitation on length of session (a)*	*Legislature may call*	*Legislature may determine subject*	*Limitation on length of session*
Minnesota	(w)	Jan.	Tues. after 1st Mon. (m)	120 L or 1st Mon. after 3rd Sat. in May (w)	No	Yes	None
Mississippi	Annual	Jan.	Tues. after 1st Mon.	125 C (g,x); 90 C (g,x)	No	No	None
Missouri	Annual	Jan.	Wed. after 1st Mon.	odd-June 30; even-May 15	By petition, 3/4 members, each house	Yes	60 C
Montana	Biennial-odd yr.	Jan.	1st Mon.	90 L (g)	By petition, majority, each house	Yes	None
Nebraska	Annual	Jan.	Wed. after 1st Mon.	odd-90 L (g); even-60 L (g)	By petition, 2/3 members, each house	Yes	None
Nevada	Biennial-odd yr.	Jan.	3rd Mon.	60 C (t)	No	No	20 C (t)
New Hampshire	Annual	Jan.	Wed. after 1st Tues. (d)	45 L	By 2/3 vote of members, each house	Yes	15L (t)
New Jersey	Annual	Jan.	2nd Tues.	None	By petition, majority, each house	Yes	None
New Mexico	Annual (l)	Jan.	3rd Tues.	odd-60 C; even-30 C	By petition, 3/5 members, each house	Yes (h)	30 C
New York	Annual	Jan.	Wed. after 1st Mon.	None	By petition, 2/3 members, each house	Yes (h)	None
North Carolina	(w)	Jan.	Wed. after 2nd Mon. (m)	None	By petition, 3/5 members, each house	Yes	None
North Dakota	Biennial-odd yr.	Jan.	Tues. after Jan. 3, but not later than Jan. 11 (d)	80 L (y)	No	Yes	None
Ohio	Annual	Jan.	1st Mon.	None	Joint call, presiding officers, both houses	Yes	None
Oklahoma	Annual	Feb.	1st Tues. after 1st Mon. (z)	160 C	By 2/3 vote of members, each house	Yes	None
Oregon	Biennial-odd yr.	Jan.	2nd Mon.	None	By petition, majority, each house	Yes	None
Pennsylvania	Annual	Jan.	1st Tues.	None	By petition, majority, each house	No	None
Rhode Island	Annual	Jan.	1st Tues.	60 L (t)	No	No	None
South Carolina	Annual	Jan.	2nd Tues. (d)	1st Thurs. in June (g)	No	Yes	None
South Dakota	Annual	Jan.	2nd Tues.	odd-40 L; even-35 L	No	No	None
Tennessee	(w)	Jan.	(aa)	90 L (t)	By petition, 2/3 members, each house	Yes	30 L (t)
Texas	Biennial-odd yr.	Jan.	2nd Tues.	140 C	No	No	30 C
Utah	Annual	Jan.	2nd Mon.	45 C	No	No	30 C
Vermont	(w)	Jan.	Wed. after 1st Mon. (m)	(t)	No	Yes	None
Virginia	Annual	Jan.	2nd Wed.	odd-30 C (g); even-60 C (g)	By petition, 2/3 members, each house	Yes	None
Washington	Annual	Jan.	2nd Mon.	odd-105 C; even-60 C	By vote, 2/3 members, each house	Yes	30 C

LEGISLATIVE SESSIONS: LEGAL PROVISIONS—Continued

	Regular sessions				*Special sessions*		
		Legislature convenes					
State or other jurisdiction	*Year*	*Month*	*Day*	*Limitation on length of session (a)*	*Legislature may call*	*Legislature may determine subject*	*Limitation on length of session*
West Virginia	Annual	Feb. Jan.	2nd Wed. (c,d) 2nd Wed. (e)	60 C (g)	By petition, 3/5 members, each house	Yes (bb)	None
Wisconsin	Annual (cc)	Jan.	1st Tues. after Jan. 8 (d,m)	None	No	No	None
Wyoming	Annual (l)	Jan. Feb.	2nd Tues. (m) 2nd Tues. (n)	odd-40 L; even-20 L	No	Yes	None
Dist. of Columbia	(dd)	Jan.	2nd day	None			
American Samoa	Annual	Jan. July	2nd Mon. 2nd Mon.	45 L 45 L	No	No	None
Guam	Annual	Jan.	2nd Mon. (ee)	None	No	No	None
Puerto Rico	Annual	Jan.	2nd Mon.	Apr. 30 (g)	No	No	20 C
U.S. Virgin Islands	Annual	Jan.	2nd Mon.	75 L	No	No	15 C

Sources: State constitutions and statutes.

Note: Some legislatures will also reconvene after normal session to consider bills vetoed by governor. Connecticut—if governor vetoes any bill, secretary of state must reconvene General Assembly on second Monday after the last day on which governor is either authorized to transmit or has transmitted every bill with his objections, whichever occurs first; General Assembly must adjourn *sine die* not later than three days after its reconvening. Hawaii—legislature may reconvene on 45th day after adjournment *sine die*, in special session, without call. Louisiana—legislature meets in a maximum five-day veto session on the 40th day after final adjournment. Missouri—if governor returns any bill on or after the fifth day before the last day on which legislature may consider bills (in even-numbered years), legislature automatically reconvenes on first Monday in September for a maximum 10 C session. New Jersey—legislature meets in special session (without call or petition) to act on bills returned by governor on 45th day after *sine die* adjournment of the first year of a two-year legislature; a special session may not be convened if the 45th day falls on or after the last day of the legislative year in which the second session occurs. Virginia—legislature reconvenes on sixth Wednesday after adjournment for a maximum three-day session (may be extended to seven days upon vote of majority of members elected to each house). Utah—if 2/3 of the members of each house favor reconvening to consider vetoed bills, a maximum five-day session is set by the presiding officers. Washington—upon petition of 2/3 of the members of each house, legislature meets 45 days after adjournment for a maximum five-day session.

Key:

C — Calendar day

L — Legislative day (in some states, called a session day or workday; definition may vary slightly, however, generally refers to any day on which either house of the legislature is in session)

(a) Applies to each year unless otherwise indicated.

(b) General election year (quadrennial election).

(c) Year after quadrennial election.

(d) Legal provision for organizational session prior to stated convening date. Alabama—in the year after quadrennial election, on the second Tuesday in January for 10 C. California—in the even-numbered, general election year, on first Monday in December for an organizational session, recess until the first Monday in January of the odd-numbered year. Florida—in general election year, 14th day after election. Georgia—in odd-numbered year. Indiana—third Tuesday after first Monday in November. Kentucky—in odd-numbered year, Tuesday after first Monday in January for 10 L. Michigan—held in odd-numbered year. New Hampshire—in even-numbered year, first Wednesday in December. North Dakota—in December. South Carolina—in even-numbered year, Tuesday after certification of election of its members for a maximum three-day session. West Virginia—in year after general election, on second Wednesday in January.

(e) Other years.

(f) By 2/3 vote each house.

(g) Session may be extended by vote of members in both houses. Alaska: 2/3 vote for 10-day extension. Arkansas: 2/3 vote. Florida: 3/5 vote. Hawaii: petition of 2/3 membership for maximum 15-day extension. Kansas: 2/3 vote. Maryland: 3/5 vote for maximum 30 C. Mississippi: 2/3 vote for 30 C extension, no limit on number of extensions. Nebraska: 4/5 vote. South Carolina: 2/3 vote. Virginia: 2/3 vote for 30 C extension. West Virginia: 2/3 vote (or if budget bill has not been acted upon three days before session ends, governor issues proclamation extending session). Puerto Rico: joint resolution.

(h) Only if legislature convenes itself. Special sessions called by the legislature are unlimited in scope in Arizona, Georgia, Maine, and New Mexico.

(i) No constitutional or statutory provision; however, legislative rules require that regular sessions adjourn no later than Saturday of the week during which the 100th day of the session falls.

(j) After governor's business has been disposed of, members may remain in session up to 15 C by a 2/3 vote of both houses.

(k) Regular sessions begin after general election, in December of even-numbered year. In California, legislature meets in December for an organizational session, recesses until the first Monday in January of the odd-numbered year and continues in session until Nov. 30 of next even-numbered year. In Maine, session which begins in December of general election year runs into the following year (odd-numbered); second session begins in next even-numbered year.

(l) Second session limited to consideration of specific types of legislation. Connecticut—individual legislators may only introduce bills of a fiscal nature, emergency legislation and bills raised by committees. Maine—budgetary matters; legislation in the governor's call; emergency legislation; legislation referred to committees for study. New Mexico—budgets, appropriations and revenue bills; bills drawn pursuant to governor's message; vetoed bills. Wyoming—budget bills.

(m) Odd-numbered years.

(n) Even-numbered years.

(o) Odd-numbered years—not later than Wednesday after first Monday in June; even-numbered years—not later than Wednesday after first Monday in May.

(p) Constitution provides for regular session convening dates and allows that sessions may also be held ". . .at such other times as the General Assembly shall judge necessary." Call by majority of legislators is implied.

(q) Upon completion of business.

(r) Limited to 40 days if called by governor and 30 days if called by petition of the legislature, except in cases of impeachment proceedings.

(s) Legislators may reconvene at any time after organizational meeting; however, second Monday in January is the final date by which regular session must be in process.

(t) Indirect limitation; usually restrictions on legislator's pay, per diem, or daily allowance.

LEGISLATIVE SESSIONS: LEGAL PROVISIONS—Continued

(u) May not extend beyond April 15.

(v) Joint rules provide for the submission of a written statement requesting special session by a specified number of members of each chamber.

(w) Legal provision for session in odd-numbered year; however, legislature may divide, and in practice has divided, to meet in even-numbered years as well.

(x) A 1968 constitutional amendment calls for 90 C sessions every year, except the first year of a gubernatorial administration during which the legislative session runs for 125 C.

(y) No legislative day is shorter than a natural day.

(z) Odd number years will include a regular session commencing on the first Tuesday after the first Monday. in January and recessing not later than the first Monday in February of that year. Limited constitutional duties can be performed.

(aa) Commencement of regular session depends on concluding date of organizational session. Legislature meets, in odd-numbered year, on second Tuesday in January for a maximum 15 C organizational session, then returns on the Tuesday following the conclusion of the organizational session.

(bb) According to a 1955 attorney general's opinion, when the legislature has petitioned to the governor to be called into session, it may then act on any matter.

(cc) The legislature, by joint resolution, establishes the session schedule of activity for the remainder of the biennium at the beginning of the odd-numbered year.

(dd) Each Council period begins on January 2 of each odd-numbered year and ends on January 1 of the following odd-numbered year.

(ee) Legislature meets on the first Monday of each month following its initial session in January.

Table 3.8
METHOD OF SETTING LEGISLATIVE COMPENSATION
(As of January 15, 1991)

State or other jurisdiction	*Constitution*	*Legislature*	*Legislature and compensation commission*
Alabama	★	. . .	. . .
Alaska	. . .	★ (a)	. . .
Arizona (b)	. . .	. . .	. . .
Arkansas	★	. . .	. . .
California	. . .	★ (c)	. . .
Colorado	. . .	★	. . .
Connecticut	. . .	. . .	★
Delaware	. . .	. . .	★
Florida	. . .	★	. . .
Georgia	. . .	★	. . .
Hawaii	. . .	. . .	★
Idaho	. . .	. . .	★
Illinois	. . .	. . .	★
Indiana	. . .	★	. . .
Iowa	. . .	. . .	★
Kansas	. . .	★	. . .
Kentucky	. . .	★	. . .
Louisiana	. . .	★	. . .
Maine	. . .	. . .	★
Maryland	. . .	. . .	★
Massachusetts	. . .	. . .	★
Michigan	. . .	. . .	★
Minnesota	. . .	. . .	★
Mississippi	. . .	★	. . .
Missouri	. . .	★	. . .
Montana	. . .	★	. . .
Nebraska	★	. . .	. . .
Nevada	. . .	★	. . .
New Hampshire	★	. . .	. . .
New Jersey	. . .	★	. . .
New Mexico	. . .	★	. . .
New York	. . .	★	. . .
North Carolina	. . .	★	. . .
North Dakota	. . .	. . .	★
Ohio	. . .	★	. . .
Oklahoma	. . .	. . .	★
Oregon	. . .	★	. . .
Pennsylvania	. . .	★	. . .
Rhode Island	★	. . .	. . .
South Carolina	. . .	★	. . .
South Dakota	. . .	★	. . .
Tennessee	. . .	★	. . .
Texas	★	. . .	. . .
Utah	. . .	. . .	★
Vermont	. . .	★	. . .
Virginia	. . .	★	. . .
Washington	. . .	. . .	★
West Virginia	. . .	. . .	★
Wisconsin	. . .	★	. . .
Wyoming	. . .	★	. . .
Dist. of Columbia	. . .	★	. . .

Source: National Conference of State Legislatures.

Note: Also see Table 3.10, "States with Legislative Compensation Commissions," for additional information.

Key:

★ — Method used to set compensation.

. . . — Method not used to set compensation.

(a) Salary commission's recommendation is non-binding. Legislators' salaries tied statutorily to state employees' salary schedule for non-salaried employees.

(b) Arizona Compensation Commission submits recommendation to vote of people.

(c) California constitution allows statutory increases not to exceed 5 percent per year.

Table 3.9
STATES IN WHICH LEGISLATORS' SALARIES ARE TIED OR RELATED TO STATE EMPLOYEES' SALARIES
(As of January 31, 1991)

State	*Description*
Alaska	Tied to state employees' salary schedule for non-salaried employees.
Florida	Each July 1, the annual salaries of members are adjusted by the average percentage increase in the salaries of state career service employees for the fiscal year just concluded. [Florida statutes, Sec. 11.13(1)(b)]
Georgia	Automatic cost-of-living increases equal to 1/2 of whatever percentage approved for state employees.
Kansas	Legislators receive same margin of increase given to all civil service employees.
Missouri	Legislators receive all cost-of-living increases given to state employees.
Montana	Tied to a grade and step on the state employees' pay plan.
North Carolina	Increases in amounts equal to the average increase received by state employees. [NCGS 120-3(b)]
Wisconsin	Legislators' salary level is recommended by Director, Dept. of Employment Relations to Joint Committee on Employment Relations, which sets salary and per diem.

Source: National Conference of State Legislatures.

Table 3.10
STATES WITH LEGISLATIVE COMPENSATION COMMISSIONS
(As of January 15, 1991)

State	*Description*
Alabama	. . .
Alaska	Commission makes a report but does not have authority to change salary, which is set by statute.
Arizona	Commission meets every two years and makes recommendations that must go to a vote of the people.
Arkansas	. . .
California	. . .
Colorado	. . .
Connecticut	Commission makes recommendations to the legislature, which acts independently.
Delaware	Commission meets every four years and makes recommendations that take effect unless the legislature rejects them by a certain date.
Florida	Commission serves as an advisory body to study compensation issues. It reports its findings to the legislature.
Georgia	. . .
Hawaii	Commission recommendations take effect unless rejected by concurrent resolution or governor.
Idaho	Salary recommendation goes into effect unless rejected by the 25th legislative day by concurrent resolution of the legislature.
Illinois	Commission recommendations take effect unless rejected by resolution of both House and Senate.
Indiana	. . .
Iowa	Commission makes recommendations every two years, but salary is set by statute.
Kansas	. . .
Kentucky	. . .
Louisiana	. . .
Maine	State Compensation Commission recommends annually in the form of a bill that legislature can choose to enact.
Maryland	Commission proposes changes to legislature which can accept, or reduce, but not increase the proposal.
Massachusetts	Commission files recommendations with legislature, which can then act independently.
Michigan	Two-thirds vote of each house can reject but not change recommendation.
Minnesota	Compensation Council recommends percentage, which can be modified or ratified by the legislature.
Mississippi	. . .
Missouri	. . .
Montana	. . .
Nebraska	. . .
Nevada	Legislature considers recommendations and takes whatever action it deems appropriate.
New Hampshire	. . .
New Jersey	. . .
New Mexico	. . .
New York	. . .
North Carolina	. . .
North Dakota	Legislature can statutorily approve, reject or modify the recommendation of the commission.
Ohio	. . .
Oklahoma	Commission has authority to set salaries. Changes go into effect for legislature following the recommendation.
Oregon	. . .
Pennsylvania	. . .
Rhode Island	. . .
South Carolina	. . .
South Dakota	. . .
Tennessee	. . .
Texas	. . .
Utah	Legislature can approve, reject, or lower recommended salary.
Vermont	. . .
Virginia	. . .
Washington	Commission sets salary and effective date. Can only be modified through referendum process.
West Virginia	Citizen's Legislative Compensation Commission meets every four years to recommend salary. It is then set statutorily by the legislature.
Wisconsin	Although not a "commission" as such, the Joint Committee on Employment Relations sets the salary based on the recommendation of the Department of Employment Relations.
Wyoming	. . .

Source: National Conference of State Legislatures.
Key:
. . . — Not applicable

THE LEGISLATORS: QUALIFICATIONS FOR ELECTION—Continued

	House					Senate				
State or other jurisdiction	*Minimum age*	*U.S. citizen (years)*	*State resident (years)*	*District resident (years)*	*Qualified voter (years)*	*Minimum age*	*U.S. citizen (years)*	*State resident (years)*	*District resident (years)*	*Qualified voter (years)*
Virginia	21	. . .	1	★	★	21	. . .	1	★	★
Washington	18	★	. . .	(b)	★	18	★	. . .	(b)	★
West Virginia (l)	18	. . .	5 (a)	1	★	25	. . .	5 (a)	1	★
Wisconsin	18	. . .	1	(b)	★	18	. . .	1	(b)	★
Wyoming	21	★	. . .	1	. . .	25	★	. . .	1	. . .
Dist. of Columbia	U	U	U	U	U	18	. . .	1	★	★
American Samoa (l)	25	★ (m)	5	1	. . .	30 (n)	★ (m)	5	1	. . .
Guam (o)	U	U	U	U	U	25	★	5	. . .	. . .
No. Mariana Islands	21	. . .	3	. . .	★	25	. . .	5	. . .	★
Puerto Rico (p)	25	★	2 (a)	1 (q)	. . .	30	★	2 (a)	1 (q)	. . .
U.S. Virgin Islands (o)	U	U	U	U	U	21	★	3	. . .	★

Sources: State constitutions and statutes.

Key:

U — Unicameral legislature; members are called senators, except in District of Columbia.

★ — Formal provision; number of years not specified.

. . . — No formal provision.

(a) State citizenship requirement.

(b) Must be a qualified voter of the district; number of years not specified.

(c) Following redistricting, a candidate may be elected from any district that contains a part of the district in which he resided at the time of redistricting, and reelected if a resident of the new district he represents for 18 months prior to reelection.

(d) If the district was established for less than six months, residency is length of establishment of district.

(e) No person convicted of a felony or breach of public trust within preceding 20 years or convicted of subversion shall be eligible.

(f) Only if the district has been in existence for one year; if not, then legislator must have been a one year resident of the district(s) from which the new district was created.

(g) No person convicted of a felony is eligible to hold office until final discharge from state supervision.

(h) Shall be a resident of the county if it contains one or more districts or of the district if it contains all or parts of more than one county.

(i) After redistricting, must have been a resident of the county in which the district is contained for one year immediately preceding election.

(j) A conflict exists between two articles of the constitution, one specifying age for House members (i.e., "qualified voter of the state") and the other related to general eligibility for elective office (i.e., "every qualified voter . . . who is 21 years of age . . . shall be eligible for election").

(k) No person convicted of embezzlement of public funds shall hold any office.

(l) Disqualification for bribery. In South Dakota and West Virginia, disqualification also for perjury or other infamous crimes. In American Samoa, also for felony.

(m) Or U.S. national.

(n) Must be registered matai.

(o) Disqualification for felony or crime involving moral turpitude unless person received pardon restoring civil rights.

(p) Read and write the Spanish or English language.

(q) When there is more than one representative district in a municipality, residence in the municipality shall satisfy this requirement.

Table 3.6
SENATE LEADERSHIP POSITIONS—METHODS OF SELECTION

State or other jurisdiction	President	President pro tem	Majority leader	Assistant majority leader	Majority floor leader	Assistant majority floor leader	Majority whip	Majority caucus chairman	Minority leader	Assistant minority leader	Minority floor leader	Assistant minority floor leader	Minority whip	Minority caucus chairman
Alabama	(a)	ES	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Alaska	ES	EC	AP	. . .	. . .	. . .	. . .	. . .	EC	. . .	. . .	. . .	. . .	. . .
Arizona	ES	AP	EC	. . .	. . .	. . .	EC	. . .	EC	EC	. . .	. . .	EC	. . .
Arkansas	(a)	ES	EC	. . .	. . .	. . .	. . .	. . .	EC	. . .	. . .	. . .	. . .	. . .
California	(a)	ES	. . .	. . .	EC	. . .	EC	EC	. . .	. . .	EC	. . .	EC	EC
Colorado	ES	ES	EC	EC (b)	(b)	. . .	(b)	EC	EC	EC (b)	(b)	. . .	(b)	EC
Connecticut (c)	(a)	ES	EC	AT,AL	. . .	. . .	AT,AL	. . .	EC	AL/3	. . .	. . .	. . .	. . .
Delaware	(a)	EC (d)	EC	. . .	. . .	. . .	EC	. . .	EC	. . .	. . .	. . .	EC	. . .
Florida	ES	ES	AP	. . .	. . .	. . .	. . .	. . .	EC (e)	EC (f)	EC/2	. . .	. . .	. . .
Georgia	(a)	ES	EC	. . .	. . .	. . .	EC	EC	EC	. . .	. . .	. . .	EC	EC
Hawaii	EC	EC (g)	EC	. . .	EC	. . .	EC	EC	EC	. . .	EC	. . .	. . .	. . .
Idaho	(a)	ES	EC	EC	. . .	. . .	. . .	EC	EC	EC	. . .	. . .	. . .	EC
Illinois	ES (h)	. . .	(h)	AP/6	. . .	. . .	. . .	AP	EC	AL/5	. . .	. . .	. . .	AL
Indiana	(a)	ES	. . .	. . .	AT	AT	AT	EC	. . .	. . .	EC	EC	EC	EC
Iowa	ES	ES	EC	EC	. . .	. . .	. . .	. . .	EC	EC	. . .	. . .	. . .	. . .
Kansas	ES	ES (g)	EC	EC	. . .	. . .	EC (i)	EC	EC	EC	. . .	. . .	EC	EC
Kentucky	(a)	ES	. . .	. . .	EC	. . .	EC	EC	. . .	. . .	EC	. . .	EC	EC
Louisiana	ES	ES	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Maine	ES	AP (j)	EC (k)	EC (k)	(k)	(k)	. . .	. . .	EC (k)	EC (k)	(k)	(k)	. . .	. . .
Maryland (l)	ES	ES	AP (m)	AP,AL(n)	(m)	(n)	AP,AL	. . .	EC	. . .	. . .	. . .	EC	. . .
Massachusetts	EC (o)	. . .	AP	AP/2	. . .	. . .	. . .	(o)	EC (o)	AL/3	. . .	. . .	. . .	(o)
Michigan	(a)	ES	EC	EC	EC	EC	EC	EC	EC	EC	EC	EC	EC	EC
Minnesota	ES	ES	EC	EC	. . .	. . .	AL/4	. . .	EC	EC/4	. . .	. . .	EC (p)	. . .
Mississippi	(a)	ES	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Missouri	(a)	EC	. . .	. . .	EC	EC	. . .	EC	. . .	. . .	EC	EC	. . .	EC
Montana	ES	ES	. . .	. . .	ES	. . .	ES	. . .	. . .	. . .	ES	. . .	ES	. . .
Nebraska (U)	(a)	ES (q)	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Nevada	(a)	ES	. . .	. . .	EC	EC	EC	. . .	. . .	. . .	EC	EC	EC	. . .
New Hampshire (r)	ES	AP	AP	AP	. . .	. . .	AP	. . .	AP	AL	. . .	. . .	AL	. . .
New Jersey (s)	ES	ES	EC	EC/2	. . .	. . .	EC	. . .	EC	EC	. . .	. . .	EC	. . .
New Mexico	(a)	EC	EC	. . .	EC	. . .	EC	EC	EC	. . .	EC	. . .	EC	EC
New York (t)	(a)	ES (u)	(u)	AT/2	. . .	. . .	AT	AT (v)	EC	AL/3	. . .	. . .	AL	AL (v)
North Carolina (w)	(a)	ES	EC	. . .	. . .	. . .	EC/4	. . .	EC	. . .	. . .	. . .	EC	. . .
North Dakota	(a)	ES	EC	EC	. . .	. . .	. . .	EC	EC	EC	. . .	. . .	. . .	EC
Ohio (x)	ES (o)	ES	. . .	. . .	. . .	. . .	ES	(o)	ES (o)	ES	. . .	. . .	ES	(o)
Oklahoma	(a)	ES	. . .	. . .	EC	EC	EC	EC	. . .	. . .	EC	EC	EC	EC
Oregon	ES	ES	ES (o)	AL/5	. . .	. . .	AL	(o)	ES (o)	AL/3	. . .	. . .	AL	(o)
Pennsylvania	(a)	ES	EC	. . .	. . .	. . .	EC	EC	EC	. . .	. . .	. . .	EC	EC
Rhode Island (w)	(a)	ES	EC	AL/6 (y)	. . .	. . .	AL	. . .	EC	AL/2 (y)	. . .	. . .	AL	. . .
South Carolina	(a)	ES	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
South Dakota	(a)	ES	EC	EC/2	. . .	. . .	. . .	. . .	EC	EC	. . .	. . .	EC/2	. . .
Tennessee	ES (q)	AP (z)	EC (z)	. . .	. . .	. . .	. . .	EC (z)	EC (z)	. . .	. . .	. . .	. . .	EC (z)
Texas	(a)	ES	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Utah	ES	. . .	EC	. . .	. . .	. . .	EC	. . .	EC	. . .	. . .	. . .	EC	. . .
Vermont	(a)	ES	EC	EC (aa)	. . .	. . .	(aa)	. . .	EC	EC (aa)	. . .	. . .	(aa)	. . .

See footnotes at end of table.

Table 3.6
SENATE LEADERSHIP POSITIONS—METHODS OF SELECTION—Continued

State or other jurisdiction	*President*	*President pro tem*	*Majority leader*	*Assistant majority leader*	*Majority floor leader*	*Assistant majority floor leader*	*Majority whip*	*Majority caucus chairman*	*Minority leader*	*Assistant minority leader*	*Minority floor leader*	*Assistant minority floor leader*	*Minority whip*	*Minority caucus chairman*
Virginia	(a)	EC	EC (bb)	. . .	(bb)	. . .	. . .	EC	EC (bb)	. . .	(bb)	. . .	. . .	EC
Washington (cc)	(a)	ES	EC	EC (dd)	EC	EC	EC	EC	EC (ee)	EC (ee)	EC (ee)	EC (ee)	EC (ee)	EC (ee)
West Virginia	ES	AP	AP	. . .	. . .	. . .	AP	. . .	EC	. . .	. . .	. . .	AL	. . .
Wisconsin	ES	. . .	EC	EC	. . .	. . .	. . .	EC	EC	EC	. . .	. . .	. . .	EC
Wyoming	ES	ES (g)	. . .	. . .	EC	. . .	EC	EC	. . .	. . .	EC	. . .	EC	EC
Dist. of Columbia (U) (ff)	(gg)	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
American Samoa	ES	ES	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Guam (U)	ES (q)	ES (g)	EC	EC	EC	EC	EC	EC	EC	EC	EC	EC	EC	EC
No. Mariana Islands	ES (h)	. . .	(h)	. . .	ES (hh)	. . .	. . .	. . .	EC	. . .	. . .	. . .	. . .	. . .
Puerto Rico	ES (o)	EC (g)	EC	. . .	EC (ii)	. . .	. . .	(o)	EC/2 (o)	. . .	EC (ii)	. . .	. . .	(o)
U.S. Virgin Islands (U)	ES	ES (g)	ES	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .

Source: The Council of State Governments' legislative survey, March 1992.

Note: In some states, the leadership positions in the Senate are not empowered by the law or by the rules of the chamber, but rather by the party members themselves. Entry following slash indicates number of individuals holding specified position.

Key:
ES — Elected or confirmed by all members of the Senate
EC — Elected by party caucus
AP — Appointed by president
AT — Appointed by president pro tempore
AL — Appointed by party leader
(U) — Unicameral legislative body
. . . — Position does not exist or is not selected on a regular basis.

(a) Lieutenant governor is president of the Senate by virtue of the office.

(b) Assistant majority leader also serves as majority floor leader and majority whip. Assistant minority leader also serves as minority floor leader and minority whip.

(c) Additional positions include two deputy majority leaders (EC) and two deputy minority leaders (appointed by minority leader and approved by party caucus).

(d) Approved by Senate members.

(e) Preferred title is Republican leader.

(f) Official title is minority leader pro tempore.

(g) Official title is vice president. In Guam, vice speaker.

(h) President also serves as majority leader.

(i) Official title is assistant majority leader/whip.

(j) Appointed only in the president's absence.

(k) Majority leader also serves as majority floor leader; assistant majority leader also serves as assistant majority floor leader; minority leader also serves as minority floor leader; assistant minority leader also serves as assistant minority floor leader.

(l) Other positions include deputy majority whip and assistant deputy majority whip; both positions are appointed by president and majority leader.

(m) Majority leader also serves as majority floor leader.

(n) Official title is deputy majority leader. Also serves as assistant majority floor leader.

(o) President and minority floor leader are also caucus chairmen. In Ohio and Puerto Rico, president and minority leader. In Oregon, majority leader and minority leader.

(p) Official title is assistant minority leader/minority whip.

(q) Official title is speaker. In Tennessee, official also has the statutory title of "lieutenant governor."

(r) Additional positions include vice president, two assistant majority whips, and deputy minority whip.

(s) Additional positions include deputy majority leader (EC), two deputy assistant minority leaders (EC), and minority leader pro tem (EC).

(t) Additional positions include vice-president pro tem (AT), deputy majority leader (AT), majority program development chairman (AT), deputy minority leader (AL), senior assistant majority leader (AT), majority conference vice-chairman (AT), minority conference vice-chairman (AL), majority conference secretary (AT), deputy majority whip (AT), majority steering committee chairman (AT), minority conference secretary (AL), assistant majority whip (AT), and assistant minority whip (AL).

(u) President pro tempore is also majority leader.

(v) Majority caucus chairman: official title is majority conference chairman. Minority caucus chairman: official title is minority conference chairman.

(w) Additional positions include deputy president pro tempore.

(x) Additional positions include assistant president pro tempore (ES) and assistant minority whip (ES).

(y) Assistant majority leader: official title is deputy majority leader. Assistant minority leader: official title is deputy minority leader.

(z) President pro tem: official title is speaker pro tem. Official titles of majority party leaders: Democratic; official titles of minority party leaders: Republican.

(aa) Assistant majority leader also serves as majority whip. Assistant minority whip also serves as minority whip.

(bb) Majority leader also serves as majority floor leader. Minority leader also serves as minority floor leader.

(cc) Additional positions include vice president pro tem (ES), majority assistant whip (EC), Democratic assistant whip (EC), and Democratic organization chair (EC).

(dd) Official title is deputy majority leader.

(ee) Customary title of minority party leaders is the party designation (Democratic). Official title of assistant minority leader is Democratic deputy leader.

(ff) Chairman of the Council, which is an elected position.

(gg) Appointed by the chairman; official title is chairman pro tem.

(hh) Official title is floor leader.

(ii) Official title is alternate floor leader.

Table 3.7
HOUSE LEADERSHIP POSITIONS—METHODS OF SELECTION

State or other jurisdiction	Speaker	Speaker pro tem	Majority leader	Assistant majority leader	Majority floor leader	Assistant majority floor leader	Majority whip	Majority caucus chairman	Minority leader	Assistant minority leader	Minority floor leader	Assistant minority floor leader	Minority whip	Minority caucus chairman
Alabama	EH	EH	...	...	...	...	...	...	...	...	...	...	...	...
Alaska	EH	EC	AS	...	...	...	...	...	EC	...	...	...	...	...
Arizona	EH	AS	EC	...	...	...	EC	...	EC	EC	...	...	EC	...
Arkansas	EH	AS	EC	EC	...	...	EC	...	EC	EC	...	...	EC	...
California	EH	EH	...	...	AS (a)	...	...	EC	...	...	EC	...	AL/2 (b)	EC
Colorado	EC	AS	EC	EC	...	...	EC	EC	EC	EC	...	...	EC	EC
Connecticut (c)	EH	AS/2 (d)	EC	(e)	...	...	AS,AL	...	EC	AL/8 (e)	...	...	AL (e)	...
Delaware	EC (f)	...	EC	...	...	...	EC	...	EC	...	...	...	EC	...
Florida	EH	EH	AS	AS (g)	AS (g)	AS (g)	AS	EC	EC (g)	EC (g)	AL (g)	AL (g)	...	EC (g)
Georgia	EH	EH	EC	...	...	...	EC	EC	EC	...	...	...	EC	EC
Hawaii	EH	...	EH	...	EH	EH/10	EH	...	EH	...	EH	EH	...	...
Idaho	EH	...	EC	EC	...	...	...	EC	EC	EC	...	...	...	EC
Illinois	EH	...	AS	AS/6	AS/2 (h)	...	...	AS (h)	EC	AL/6	AL/2 (h)	...	...	AL (h)
Indiana	EH	AS	...	...	EC	EC	EC	EC	...	...	EC	(i)	(i)	(i)
Iowa	EH	EH	EC	EC	...	...	...	...	EC	EC	EC	EC	...	...
Kansas	EH	EH	EC	EC	...	...	EC	EC	EC	EC	...	...	EC	EC
Kentucky	EH	EH	...	...	EC	...	EC	EC	...	...	EC	...	EC	EC
Louisiana	EH	EH	...	...	...	...	...	...	...	...	...	...	...	...
Maine	EH	AS (j)	EC	...	...	...	EC	...	EC	EC	...	...	...	...
Maryland (k)	EH	EH	AS (l)	AS (m)	(l)	AS	AS	EC	EC	AL	...	...	EC	...
Massachusetts	EC (n)	...	AS	AS/2	...	...	...	(n)	EC (n)	AL	...	...	...	(n)
Michigan	EH	EH	EC	EC	EC	EC	EC	EC	EC	EC	EC	EC	EC	EC
Minnesota	EH	...	EC (o)	EC/4	(o)	...	...	...	EC (o)	EC/6	(o)	...	...	...
Mississippi	EH	EH	...	...	...	...	...	...	...	...	...	...	...	...
Missouri	EH	EH	...	...	EC	EC	EC	EC	...	...	EC	EC	EC	EC
Montana	EH	EH	...	...	EH	...	EH	...	...	...	EH	...	EH	...
Nebraska	(p)													
Nevada	EH	EH	...	...	EC	EC	EC	...	...	...	EC	EC	EC	...
New Hampshire	EH	AS (d)	AS	AS	...	...	AS	...	AS	AL (q)	...	...	AL	...
New Jersey (r)	EH	EH	EC	EC/3	...	...	EC	EC (s)	EC	EC/2 (q)	...	...	...	EC (s)
New Mexico	EH	...	EC	...	EC	...	EC	EC	EC	...	EC	...	EC	EC
New York (t)	EH	AS	AS	AS	...	...	AS	AS (u)	EC	AL/2	...	...	AL	AL (u)
North Carolina	EH	EH	EC	...	...	...	EC	...	EC	...	...	...	EC	...
North Dakota	EH	...	EC	EC	...	...	...	EC	EC	EC	...	...	...	EC
Ohio (v)	EH	EH	...	...	EH	EH	EH	...	EH	EH	...	...	EH	...
Oklahoma (w)	EH	EH	...	...	AS	AS/5	AS	EC	...	...	EC	EC/4	EC/2	EC
Oregon	EH	EH	EH (x)	AL/5	...	...	AL	(x)	EH (x)	AL/5	...	...	...	(x)
Pennsylvania	EH	...	EC	...	...	...	EC	EC	EC (y)	...	...	...	EC (y)	EC
Rhode Island (z)	EH	AS (aa)	EC	EC/11 (m)	...	...	EC	...	EC	EC/3(q)	...	...	EC	...
South Carolina (bb)	EH	EH	EC	EC	EC	EC	EC (cc)	...	EC	EC	...	...	EC	...
South Dakota (dd)	EH	EH	EC	...	...	...	EC	...	EC	EC	...	...	EC/2	...
Tennessee	EH	EH	EC	EC	EC	EC	EC	EC	EC	EC	EC	...	EC	EC
Texas	EH	AS	...	...	...	...	...	...	...	...	...	...	...	...
Utah (ee)	EH	...	EC	...	...	...	EC	...	EC	...	...	...	EC	...
Vermont	EH	...	EC	EC (ff)	...	...	(ff)	...	EC	EC (ff)	...	...	(ff)	...

See footnotes at end of table.

HOUSE LEADERSHIP POSITIONS—METHODS OF SELECTION—Continued

State or other jurisdiction	Speaker	Speaker pro tem	Majority leader	Assistant majority leader	Majority floor leader	Assistant majority floor leader	Majority whip	Majority caucus chairman	Minority leader	Assistant minority leader	Minority floor leader	Assistant minority floor leader	Minority whip	Minority caucus chairman
Virginia	EH	. . .	EC (o)	. . .	(o)	. . .	. . .	EC	EC (o)	. . .	(o)	. . .	. . .	EC
Washington (gg)	EH	EH	EC	EC	EC	EC/4 (hh)	EC	EC	EC	. . .	EC	EC/2	EC	EC
West Virginia	EH	AS	AS	. . .	. . .	. . .	AS	. . .	EC	AL	. . .	. . .	AL	AL
Wisconsin	EH	EH	EC	EC	. . .	. . .	. . .	EC	EC	EC	. . .	. . .	. . .	EC
Wyoming	EH	EH	. . .	. . .	EC	. . .	EC	EC	. . .	. . .	EC	EC	EC	EC
Dist. of Columbia	(p)													
American Samoa	EH	EH (d)	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Guam	(p)													
No. Mariana Islands	EH (ii)	. . .	(ii)	. . .	EH (jj)	. . .	. . .	. . .	EC	. . .	. . .	. . .	. . .	. . .
Puerto Rico	EH (n)	EC (d)	EC	. . .	EC (kk)	. . .	. . .	(n)	EC/2 (n)	. . .	(kk)	. . .	. . .	(n)
U.S. Virgin Islands	(p)													

Source: The Council of State Governments' legislative survey, March 1992.

Note: In some states, the leadership positions in the House are not empowered by the law or by the rules of the chamber, but rather by the party members themselves. Entry following slash indicates number of individuals holding specified position.

Key:

EH — Elected or confirmed by all members of the House
EC — Elected by party caucus
AS — Appointed by speaker
AL — Appointed by party leader
. . . — Position does not exist or is not selected on a regular basis.

(a) Appointed by speaker, after consultation with members of supporting majority.

(b) Appointed by minority floor leader.

(c) Additional positions include two deputy majority leaders (appointed by majority leader) and two deputy minority leaders (appointed by minority leader and approved by party caucus).

(d) Official title is deputy speaker. In American Samoa and Puerto Rico, vice speaker.

(e) Thirteen assistant majority leaders are appointed by speaker and approved by party caucus. Eight assistant minority leaders and minority whip are appointed by minority leader.

(f) Approved by house members.

(g) Official titles: assistant majority leader is deputy majority leader, majority floor leader is majority floor whip, assistant majority floor leader is freshman majority whip, assistant minority leader is Republican leader pro tem. Other titles of minority floor leaders are designated by party affiliation (Republican).

(h) Official titles: majority floor leader is deputy majority leader, majority caucus chairman is majority conference chairperson, minority floor leader is deputy minority leader, and minority caucus chairman is minority conference chairperson.

(i) Appointed by minority floor leader.

(j) Appointed only in the speaker's absence.

(k) Additional positions include eight deputy majority whips.

(l) Majority leader also serves as majority floor leader.

(m) Official title is deputy majority leader.

(n) Speaker and minority leader are also caucus chairmen.

(o) Majority leader also serves as majority floor leader; minority leader also serves as minority floor leader.

(p) Unicameral legislature; see entries in Table 3.6, "Senate Leadership Positions — Methods of Selection."

(q) Official title is deputy minority leader.

(r) Additional positions include three deputy speakers (EC), three assistant majority whips (EC), policy chairman (EC), majority budget officer (EC), minority leader pro tem (EC), and associate minority leader (EC).

(s) Official titles: majority caucus chairman is majority conference leader and minority caucus chairman is minority conference chairman.

(t) Additional positions: deputy speaker (AS), assistant speaker (AS), assistant speaker pro tem (AS), minority leader pro tem (AL), assistant minority leader pro tem (AL), deputy majority leader (AS), deputy minority leader (AL), deputy majority whip (AS), deputy minority whip (AL), assistant majority whip (AS), assistant minority whip (AL), majority conference vice-chairman (AS), minority conference vice-chairman (AL), majority conference secretary (AS), minority conference secretary (AL), majority steering committee chairman (AS), majority steering committee vice-chairman (AS), minority steering committee chairman (AL), minority steering committee vice-chairman (AL), majority program committee chairman (AS), and minority program committee chairman (AL).

(u) Official titles: majority caucus chairman is majority conference chairman; minority caucus chairman is minority conference chairman.

(v) Additional positions include assistant majority whip (EH) and assistant minority whip (EH).

(w) Additional positions include assistant majority whip and minority caucus secretary.

(x) Majority leader also serves as majority caucus chairman; minority leader also serves as minority caucus chairman.

(y) Official titles: minority leader is Republican leader and minority whip is Republican whip.

(z) Additional position includes first deputy speaker (AS).

(aa) Official title is senior speaker pro tem.

(bb) Additional positions include two deputy majority whips, three assistant majority whips, and two freshman whips.

(cc) Official title is chief deputy majority whip.

(dd) Additional positions include three assistant majority whips (EC).

(ee) Additional positions include assistant majority whip and assistant minority whip.

(ff) Assistant majority leader also serves as majority whip; assistant minority leader also serves as minority whip.

(gg) Additional positions include three assistant minority whips (AL).

(hh) Official title is assistant majority whip.

(ii) Speaker also serves as majority leader.

(jj) Official title is floor leader.

(kk) Official title is alternate floor leader.

Table 3.11
LEGISLATIVE COMPENSATION: REGULAR AND SPECIAL SESSIONS
(As of February 1992)

	Salaries					*Travel allowance (as of January 1991)*		
	Regular sessions			*Special session*				
State or other jurisdiction	*Per diem salary*	*Limit on days*	*Annual salaries*	*Per diem salary*	*Limit on days*	*Cents per mile*	*Round trips home to capital during session*	*Per diem living expenses*
Alabama	$10	30L	. . .	$10	36C	10	One	$2,280/y (U) plus $50 three times/w for committee meetings (U)
Alaska	. . .	. . .	$24,012	. . .	. . .	(a)	. . .	$100 ($75 for Juneau legislators) (U)
Arizona	. . .	. . .	$15,000	. . .	. . .	25.5	. . .	$35 ($60 for those living outside Maricopa Co.) (U) (b)
Arkansas*	. . .	. . .	$ 7,500	. . .	. . .	23	. . .	$76 for those living more than 50 miles from capital (U)
California	. . .	. . .	$52,500	. . .	. . .	15	. . .	$92 (V)
Colorado	. . .	. . .	$17,500	. . .	. . .	20 (24 for 4-wheel drive)	Weekly (c)	$99 ($45 for Denver area legislators) (V)
Connecticut	. . .	. . .	$16,760	. . .	. . .	21	One	Senators - $4,500/y; Representatives - $3,500/y (U)
Delaware	. . .	. . .	$24,213	. . .	. . .	20	One	$5,500/y (U)
Florida	. . .	. . .	$22,560	. . .	20C	20	. . .	$69.77/d for 43 days, up to $3,000 (U)
Georgia	. . .	. . .	$10,509.60	. . .	. . .	21	. . .	$59 (U) plus $4,800/y expense allowance (V)
Hawaii	. . .	. . .	$27,000	. . .	. . .	0	. . .	$75 (V) plus $5,000/y expense allowance (V) (d)
Idaho	. . .	. . .	$12,000	. . .	. . .	(e)	. . .	$70 ($40 for legislators who do not establish a second residence; plus $25 roundtrip travel) (V) plus $500/y expense allowance (U)
Illinois	. . .	. . .	$37,230	. . .	. . .	24	Weekly (f)	$77 (V)
Indiana	. . .	. . .	$11,600	. . .	. . .	25	Weekly	$92 (U)
Iowa	. . .	. . .	$18,100	$50	. . .	21	. . .	$50 ($35 for Polk County legislators) (U)
Kansas	$60	90C	. . .	$60.	. . .	22.5	Weekly	$69 (U)
Kentucky*	$100	101C	. . .	$100	. . .	22.5	Weekly	$75 (U)
Louisiana	. . .	. . .	$16,800	$75	30C	24-Senate 26-House	Weekly	$75 (U)
Maine	. . .	. . .	$ 7,125	$100	. . .	22	Weekly (g)	$70 (V)
Maryland	. . .	. . .	$27,000	. . .	30C	(h)	. . .	$94 (V)
Massachusetts	. . .	. . .	$30,000	. . .	. . .	(i)	. . .	$5 to $50 depending on distance from capital (U) plus $2,400/y (U)
Michigan	. . .	. . .	$45,450	. . .	. . .	(j)	Weekly	$8,500/y (U)
Minnesota	. . .	. . .	$27,979	. . .	. . .	27.5	. . .	$50 (U) plus up to $450/m housing for senators; $48 (U) plus up to $500/m housing if more than 50 miles from capital for representatives
Mississippi	. . .	. . .	$10,000	$50	30C	20	Weekly	$76 (U)
Missouri	. . .	. . .	$22,870.20	. . .	. . .	20.5	Weekly	$35 (U)
Montana*	$56.44	90L	. . .	$56.44	. . .	26	. . .	$50 (U)
Nebraska	. . .	. . .	$12,000	. . .	. . .	21	. . .	$71 ($26 for legislators residing within 50 miles of capital) (V)
Nevada*	$130	60C	. . .	$130	20C	27.5	. . .	$66 (U)
New Hampshire	. . .	. . .	$ 100	$3	15L	38 for first 45 miles; 19 thereafter	. . .	None
New Jersey	. . .	. . .	$35,000	. . .	. . .	0	. . .	None

See footnotes at end of table.

LEGISLATIVE COMPENSATION: REGULAR AND SPECIAL SESSIONS—Continued

	Salaries					*Travel allowance (as of January 1991)*		
	Regular sessions			*Special session*				
State or other jurisdiction	*Per diem salary*	*Limit on days*	*Annual salaries*	*Per diem salary*	*Limit on days*	*Cents per mile*	*Round trips home to capital during session*	*Per diem living expenses*
New Mexico	$75	60C (odd y) 30C (even y)	. . .	$75	60C	25 (k)	One	None
New York	. . .	. . .	$57,500	. . .	. . .	23	Weekly	$89 for in-state; $130 for New York City metro area and out-of-state
North Carolina	. . .	. . .	$12,504	. . .	. . .	25	Weekly	$81 (U) plus $522/m expense allowance (U)
North Dakota*	$90	110-115C	. . .	$90	. . .	20	Weekly	$35, not to exceed $600/m (V)
Ohio	. . .	. . .	$42,426.90	. . .	. . .	20.5	Weekly	None
Oklahoma	. . .	. . .	$32,000	. . .	. . .	20.5	One	$35, plus actual mileage for commuters (V)
Oregon*	. . .	. . .	$11,868	. . .	. . .	22	. . .	$73 (U)
Pennsylvania	. . .	. . .	$47,000	. . .	. . .	20	Weekly	$88 (V)
Rhode Island	$5	60L	. . .	. . .	. . .	8	One/L	None
South Carolina	. . .	. . .	$10,400	$250	. . .	25.5	. . .	$79 (V)
South Dakota	. . .	. . .	$ 4,267 (odd y) $ 3,733 (even y)	106.72	. . .	22	Weekly (l)	$75 (U)
Tennessee	. . .	. . .	$16,500	. . .	. . .	24	. .	$78 (U)
Texas*	. . .	. . .	$ 7,200	. . .	30C	25	. . .	$85 (U)
Utah	$65	45C	. . .	$65	30C	25	. . .	$25 (U) ($50 lodging allowance for legislators residing outside Davis and Salt Lake Counties)
Vermont	. . .	. . .	(m)	$90	. . .	(n)	. . .	$87 (or $32 plus mileage for commuters) (U)
Virginia	. . .	. . .	$18,000	. . .	. . .	24	. . .	$75 (V)
Washington	. . .	. . .	$23,200	. . .	30C	26	. . .	$66 (V)
West Virginia	. . .	. . .	$ 6,500	$50	. . .	20	Weekly	$70 (V)
Wisconsin	. . .	. . .	$33,622	. . .	. . .	24	Weekly	$73 (U)
Wyoming	$75	60L	. . .	$75	. . .	35	One	$60 (U)
Dist. of Columbia	. . .	. . .	$71,885	. . .	. . .	21	. . .	$118 for out-of-town travel (V)

Source: National Conference of State Legislatures.

Note: In many states, legislators who receive an annual salary or per diem salary also receive an additional per diem amount for living expenses. Consult appropriate columns for a more complete picture of legislative compensation during sessions. For information on interim compensation and other direct payments and services to legislators, see Table 3.12, "Legislative Compensation: Interim Payments and Other Direct Payments."

* — Biennial session. In Arkansas, Oregon and Texas, legislators receive an annual salary.

Key:
C — Calendar day
L — Legislative day
(U) — Unvouchered
(V) — Vouchered
d — day
w — week
m — month
y — year
. . . — Not applicable

(a) 25 cents per mile for travel other than to and from capital.

(b) After 120L, $10 ($20 for those living outside Maricopa County).

(c) For members outside the Denver Metro area; one roundtrip a day for Denver Metro area members.

(d) Legislators not from Oahu receive additional $80/d.

(e) Tied to state employee rate.

(f) Same rate out of session; limit of two trips per month. Actual expenses if using public transportation (plane or train).

(g) Legislators who commute during the week may claim mileage in lieu of lodging at same rate up to $38/d.

(h) $250/y for in-district travel.

(i) Mileage included in expense allowance of $2,400/y (U).

(j) House - 25.5 cents a mile; Senate - 28.5 cents a mile.

(k) 30 cents a mile if legislators travel by own aircraft.

(l) One roundtrip is reimbursed at 5 cents per mile.

(m) $480/w for approximately 17 w/session.

(n) Mileage based on the amount negotiated for state employees generally.

Table 3.12
LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS
(As of January 15, 1991)

	Compensation for committee or official business during interim			
State or other jurisdiction	*Per diem compensation for committee or official business*	*Travel allowance (cents per mile)*	*Per diem living expenses*	*Other direct payments or services to legislators*
Alabama	$40	10	. . .	$1,900/m for district expenses (U)
Alaska	$65	25 (a)	$100 (U)	$4,000/y for district or capitol office. Office space and telephone also provided. Primary staffing is provided by the legislature.
Arizona	. . .	25.5	$60 ($35 for those living within 50 mile radius). Legislators receive interim per diem for constituent work and public meetings (U)	. . .
Arkansas	$78	23	(V)	At the option of each legislator, up to $600/m for office expenses, travel, meals, lodging and clerical staff salaries. Committee chairs are eligible for an additional $150/m.
California	. . .	15 (b)	$88; up to $147 for travel outside the capital (V)	$279,380/y in Assembly for both capital and district office expenses. In Senate, allowance varies based on staffing level and geographic location of district office.
Colorado	$99	20 (24 for 4-wheel drive)	Actual and necessary (V)	. . .
Connecticut	. . .	21	(c)	(d)
Delaware	. . .	20	(c)	. . .
Florida	. . .	20	$50 (V)	$1,500/m for district office and staffing (e)
Georgia	. . .	21	$59 plus mileage and travel for in-state travel; out-of-state, actual expenses and travel (V)	$4,800/y (includes office expenses) (V)
Hawaii	. . .	. . .	$10 on island residence; $75 other than island of residence (U)	(f)
Idaho	$50	(g)	Travel, lodging and food (V)	$500/y expense allowance (U). Legislators receive stationery and postage during session
Illinois	$74 (h)	24 (h)	Actual expenses up to per diem amount (V)	Senators receive $57,000/y and representatives receive $47,000/y for office expenses and staffing of district offices
Indiana	. . .	25	$88 (V)	$25/d, seven days a week for district office expenses, when not in session (U)
Iowa	$50	21	Amount is paid irrespective of actual expense (V)	$75/m for travel and other district office costs
Kansas	$60	22.5	$69 (V)	$600/m during 9-month interim for office expenses and in-district travel, etc.
Kentucky	$100	22.5	Actual expenses (V)	$950/m (U) in interim for secretarial assistance and other expenses; $50/session stationery allowance
Louisiana	$75	26 House (i) 24 Senate	Lodging, fares and registration fee reimbursed. Committee meetings at capitol (U). Out of state (V)	$325/m (U) to cover rent, and other expenses for a district office. $1,809/m for legislative assistant and increase of 4 percent a year up to $1,718/m (j)

See footnotes at end of table.

LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS—Continued

	Compensation for committee or official business during interim			
State or other jurisdiction	*Per diem compensation for committee or official business*	*Travel allowance (cents per mile)*	*Per diem living expenses*	*Other direct payments or services to legislators*
Maine	$55 for committee meetings	22 (k)	Actual expenses reimbursed; no set limit (V)	. . .
Maryland	$90	$250/y for in-district travel	Reimbursed for actual expenses up to per diem amount (V)	Senators receive $18,265/y for district office expenses and salary for a secretary. Delegates receive $17,007/y for district office expenses and secretarial support.
Massachusetts	$5-50	Included in expense allowance	Depends on distance and paid upon certification of presence at State House (U)	. . .
Michigan	. . .	28.5 Senate 25.5 House	(c)	Senators receive $47,000/y for office expenses, in-district travel and temporary staff. Members do not have district offices. Representatives do not have an office budget. Majority senators receive $168,727/y plus 5 benefit packages. Minority senators receive $102,883/y plus 3 benefit packages. Representatives do not receive a staffing allowance.
Minnesota	$50 Senate $48 House	27.5	Amount is paid irrespective of actual expense. Travel and expenses reimbursed at actual cost (V)	Legislators receive a postage allowance.
Mississippi	. . .	20	. . .	$800/m during interim
Missouri	. . .	20.5	. . .	Legislators receive $600/m for office expenses, in-district travel and district office staffing
Montana	Varies	26	Receive lodging reimbursement up to a limit; reimbursed for meals according to set amount/meal (V)	. . .
Nebraska	. . .	21	. . .	. . .
Nevada	Varies	27.5	Reimbursed for actual expenses incurred in legislative business, without a set limit. In state: $58 (U); out of state, up to $24 plus reasonable single-room rate (V)	$2,800/biennium telephone plus $60/biennium postage allowance. Leaders and committee chairs receive additional $900.
New Hampshire	. . .	38 for first 45 miles, 19 thereafter	. . .	. . .
New Jersey	. . .	. . .	. . .	District office rent up to $12,000/y. Up to $750/y for supplies and furniture. $60,000/y for staffing
New Mexico	$75	25	Reimbursed for travel and registration fees (V)	. . .
New York	Varies	23	No receipts needed (l) (V)	$1,600/y for incidental expenses. Major office expenses are covered by the legislature. Approximately $130,000 to $250,000 for district and capital staff, depending on position of legislator.
North Carolina	$81	25	Amount is paid irrespective of actual expense; reimbursement according to attendance at committee meetings	$1,500/biennium for postage and telephone expenses. May use portion of $522/m general expense allowance for office expenses
North Dakota	$62.50	20 for first 150 miles, 18 thereafter	In state: $35 for lodging, $17 for meals; out of state: actual lodging, $30 meals (V)	. . .

See footnotes at end of table.

LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS—Continued

	Compensation for committee or official business during interim			
State or other jurisdiction	*Per diem compensation for committee or official business*	*Travel allowance (cents per mile)*	*Per diem living expenses*	*Other direct payments or services to legislators*
Ohio	. . .	20.5	. . .	. . .
Oklahoma	$25	20.5	Amount is paid irrespective of actual expense (V)	. . .
Oregon	. . .	22	Amount is paid irrespective of actual expense; reimbursement according to attendance at committee meetings	$400-$450/m depending on district size for district office expenses. $3,338/m during session for staffing; $1,100/m during interim.
Pennsylvania	$88	24 Senate 22.5 House	Amount is paid irrespective of actual expense (V)	Senators receive $22,500/y for district office expenses plus $10,000 for general legislative expenses. Representatives receive $10,800 for district office expenses plus $2,000/y postage allowance.
Rhode Island	. . .	. . .	. . .	. . .
South Carolina	$35	25.5	(V)	$300/m in-district expenses. Representatives receive $150,000 for legislative staffing. All members receive $1,200/y for telephone expenses and an additional postage allowance.
South Dakota	$75	22	(U)	. . .
Tennessee	$78	24	In state (U); hotel and travel expenses out of state (V)	$525/m for office expenses. Senate and house speakers receive an additional $5,700/y in office expenses.
Texas	$81	25	Actual expenses reimbursed up to per diem amount (V)	Senators are reimbursed for district office expenses (no set limit) and $18,000/m for staffing. Representatives receive $7,000/m in session and $6,000/m in interim for district office, capitol office, staffing and travel.
Utah	$65	25	$25 (V) plus $50 lodging for legislators residing outside Salt Lake or Davis Counties (U)	. . .
Vermont	Varies	. . .	$32 meals for commuters; $37 meals for renters; $50 lodging for non-commuters (V)	. . .
Virginia	. . .	24	. . .	$500/m for office expenses and supplies. Senate president pro tem, Senate majority and minority floor leaders and House majority and minority floor leaders receive $600/m for office expenses and supplies. House speaker receives $78,121/y for staffing. Other legislators receive $16,740/y for secretary or administrative assistant.
Washington	$66	26	Actual expenses reimbursed up to per diem amount (V)	. . .
West Virginia	$50	20	(V)	. . .
Wisconsin	$64	24	(U)	Senators receive $126,924 per two-year session for salary and benefits for two people plus others without benefits subject to approval. Representatives' staff salaries are paid out of general budget.
Wyoming	$60	35	(U)	. . .
Dist of Columbia	$118 out of town	21 out of town (b)	Actual expenses reimbursed up to per diem amount (V)	. . .

See footnotes at end of table.

LEGISLATIVE COMPENSATION: INTERIM PAYMENTS AND OTHER DIRECT PAYMENTS—Continued

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Source: National Conference of State Legislatures.

Note: For more information on legislative compensation, see Table 3.11, "Legislative Compensation: Regular and Special Sessions."

Key:
. . . — Not applicable
(U) — Unvouchered
(V) — Vouchered
d — day
m — month
y — year

(a) For travel other than to and from capital.

(b) Mileage rates apply when own car is used.

(c) For additional allowance see Table 3.11, "Legislative Compensation: Regular and Special Sessions."

(d) Senate Democratic caucus receives approximately $20,000/y for each senator's constituent caseworker; the Senate Republican caucus receives approximately $20,000/y for every three senators for caseworkers. House caucuses receive approximately $20,000 for every four or five rank and file members for caseworkers.

(e) The speaker, Senate president and senators who have three district employees for 16 or more calendar days in each month receive $1,750. Senators also receive $6,000/y for in-state travel and office expenses (V). Representatives receive $7,100/y for mailing newsletters.

(f) Each legislator entitled to one full-time year-round employee in addition to session-only staff. Senators in the majority receive $280/d; senators in the minority, $170/d. Representatives in the majority receive $4,500/m; representatives in the minority, $1,600/m.

(g) Mileage rate tied to state employee rate.

(h) $34 if one day only. Limit two trips per month out of session.

(i) Rate applies for one roundtrip/week from home to capital.

(j) Newly elected members receive $1,000 one time for equipment and furniture; returning members, $250 per term for equipment and furniture.

(k) Commuters may claim mileage in lieu of lodging up to $38/d.

(l) $89 full day in state; $45 half day; $130 full day out of state or in New York City or in Westchester, Nassau or Suffolk Counties.

Table 3.13
ADDITIONAL COMPENSATION FOR SENATE LEADERS
(As of January 15, 1991)

State or other jurisdiction	*President*	*President pro tem*	*Majority leader*	*Minority leader*	*Other*
Alabama	$2/L (a)	0	. . .	. . .	
Alaska	$500/y	0	0	0	
Arizona	0	0	0	0	
Arkansas	$2,500/y (a)	(b)	0	0	All cmte. chairs: $150/m
California	(a)	0	. . .	. . .	
Colorado	$99/d legis. business (during interim)	$99/d legis. business (during interim)	$99/d legis. business (during interim)	$99/d legis. business (during interim)	
Connecticut	(a)	$6,400/y	$5,290/y	$5,290/y	Dep. Maj. Ldr., Dep. Min. Ldr.: $3,860/y; Asst. Maj. Ldr., Asst. Min. Ldr., Jt. Standing Cmte. Chairs (except legis. mgt.): $2,540/y; Ranking min. mbrs. of all standing cmtes.: $1,440/y
Delaware	(a)	$9,828/y	$7,644/y	$7,644/y	Jt. Finance Cmte. Chair and V-Chair: $7,098/y; Jt. Finance Cmte. Mbrs.: $6,006/y; Maj. Whip, Min. Whip: $4,914/y
Florida	$8,772/y	0	0	0	
Georgia	(a)	$4,800/y	$2,400/y	$2,400/y	Admn. Fl. Ldrs.: $2,400/y; Asst. Admn. Fl. Ldrs.: $1,200/y
Hawaii	$5,000/y	0 (c)	0	0	
Idaho	$3,000/y (a)	0	0	0	
Illinois	$16,000/y (d)	. . .	(d)	$16,000/y	Asst. Maj. Ldr., Asst. Min. Ldr., Maj. Caucus Chair, Min. Caucus Chair: $12,000/y; all cmte. chairs and minority spokesmen: $6,000/y
Indiana	(a)	$6,500/y	. . .	. . .	Maj. Flr. Ldr., Maj. Caucus Chair, Min. Flr. Ldr., Finance Cmte. Chair: $5,000/y; Min. Caucus Chair, Asst. Min. Flr. Ldr.: $4,500/y; Asst. Pres. Pro Tem: $4,000/y; Finance Cmte. ranking minority mbr.: $3,500/y; Maj. Whip, Min. Whip: $1,500/y
Iowa	$9,800/y	$1,000/y	$9,800/y	$9,800/y	
Kansas	$9,415/y	$4,805/y (c)	$8,493/y	$8,493/y	Ways & Means Cmte. Chair: $7,571/y; Asst. Maj. Ldr., Asst. Min. Ldr.: $4,805/y
Kentucky	$25/L (a)	$25/L	. . .	. . .	Maj. Flr. Ldr., Min. Flr. Ldr.: $20/L; Asst. Pres. Pro Tem, Maj. Whip, Min. Whip, Maj. Caucus Chair, Min. Caucus Chair: $15/L; all cmte. chairs: $10/L for cmte. meetings.
Louisiana	$15,200/y	0	. . .	. . .	
Maine	$3,750/y (1992)	0	$1,650/y (1992)	$1,650/y (1992)	Asst. Min. Ldr., Maj. Whip: $937.50/y
Maryland	$10,000/y	0	0	0	
Massachusetts	$35,000/y	. . .	$22,500/y	$22,500/y	Ways & Means Cmte. Chair: $25,000/y; Asst. Maj. Flr. Ldr., Asst. Min. Flr. Ldr., 2nd Asst. Maj. Flr. Ldr., 2nd and 3rd Asst. Min. Flr. Ldrs., Post Audit & Oversight and Taxation Cmte. Chairs, Ways & Means Cmte. V-Chair: $15,000/y; other cmte. chairs, Ways & Means Asst. V-Chair: $7,500/y
Michigan	(a)	0	$21,000/y	$17,000/y	Maj. Flr. Ldr.: $10,000/y; Min. Flr. Ldr.: $8,000/y; Appropriations & Judiciary Cmte. Chairs: $5,000/y
Minnesota	$11,191.60/y	0	$11,191.60/y	$11,191.60/y	Finance & Taxes Cmte. Chair: $5,596/y
Mississippi	$40,800/y (a)	0	. . .	. . .	
Missouri	(a)	$2,500/y	$1,500/y	$1,500/y	
Montana	$5/L	0	. . .	. . .	
Nebraska	(a)	0	. . .	. . .	
Nevada	$2/L (a)	0	. . .	. . .	(e)
New Hampshire	$25/y	0	0	0	Finance Cmte. Chair: $182.04/d plus mileage. No more than 10 d per biennium
New Jersey	$11,667/y	0	0	0	
New Mexico	(a)	0	. . .	. . .	
New York	(a)	$30,000/y (d)	(d)	$25,000/y	Other leadership positions: between $6,500/y and $25,000/y; all cmte. chairs: between $9,000/y and $24,500/y
North Carolina	(a,f)	$22,596/y (g)	$2,892/y (h)	$2,892/y (h)	Dep. Pres. Pro Tem: $7,272/y plus $780/m expense allowance
North Dakota	(a)	0	$10C	$10C	Standing and Interim Cmte. Chairs: $5/C
Ohio	$22,577.93/y	$17,060.76/y	. . .	$17,060.76/y	Asst. Pres. Pro Tem: $13,725.27/y; Asst. Min. Ldr.: $12,060.86/y; Maj. Flr. Ldr.: $10,393.77/y; Min. Whip: $7,062.30/y; Finance Cmte. chairs: $7,000/y; all other cmte. chairs: $5,000/y; Cmte. V-Chairs and ranking minority mbrs.: $3,609/y; Asst. Min. Whip: $1,865.41/y

See footnotes at end of table.

ADDITIONAL COMPENSATION FOR SENATE LEADERS—Continued

State or other jurisdiction	*President*	*President pro tem*	*Majority leader*	*Minority leader*	*Other*
Oklahoma	(a)	$14,944/y	$10,304/y	$10,304/y	
Oregon	$11,868/y	0	0	0	
Pennsylvania	(a)	$26,370/y	$21,097/y	$21,097/y	Maj. Whip, Min. Whip, Appropriations Cmte. Chair and Min. Chair: $16,011/y; Maj. Caucus Chair, Min. Caucus Chair: $9,983/y; Maj. Caucus Secy., Min. Caucus Secy., Maj. Policy Chair, Min. Policy Chair, Maj. Caucus Adminstr., Min. Caucus Adminstr.: $6,593/y
Rhode Island	(a)	0	0	0	
South Carolina	$1,575/y (a)	$7,500/y	. . .	. . .	All standing cmte. chairs: $400/y
South Dakota	(a)	0	0	0	
Tennessee	$33,000/y (a)	0	0	0	
Texas	(a)	0	. . .	. . .	
Utah	$1,000/y	. . .	$500/y	$500/y	
Vermont	(a)	$50/w	0	0	
Virginia	(a)	$11,550/y	0	0	
Washington	(a)	0	$1,000/y	$1,000/y	
West Virginia	$50/L	0	$25/L	$25/L	
Wisconsin	0	. . .	0	0	
Wyoming	$3/L	0 (c)	. . .	. . .	
Dist. of Columbia	$10,000/y (i)	. . .	. . .	. . .	

Source: National Conference of State Legislatures.

Note: This table reflects the amount paid the leadership in addition to their regular legislative compensation.

Key:

L — Legislative day
C — Calendar day in session
d — day
m — month
w — week
y — year
. . . — Position does not exist or is not selected on a regular basis

(a) Lieutenant governor is president of the Senate. In Tennessee, speaker of the Senate also has the statutory title of lieutenant governor. Additional compensation noted is that which the lieutenant governor receives for services as president of the Senate. In Mississippi, constitution states that the salary of the lieutenant governor must be the same as that of the speaker of the House ($40,800), and that the lieutenant governor also receive the same per diem and expenses as members while in session ($50/day and mileage for extraordinary sessions).

(b) The president pro tem receives a special public relations expense allowance of $10,000/y plus free housing in a state-owned building and a travel allowance of $450/m.

(c) Official title is vice-president.

(d) President also serves as majority leader. In New York, president pro tempore serves as majority leader.

(e) All standing committee chairs receive $900 unvouched allowance per session for communications and suppllies.

(f) Lieutenant governor receives $958.33/m expense allowance.

(g) President pro tem receives $1,320/m expense allowance.

(h) Majority and minority leaders receive $622/m expense allowance.

(i) Council chair.

Table 3.14
ADDITIONAL COMPENSATION FOR HOUSE LEADERS
(As of January 15, 1991)

State	*Speaker*	*Speaker pro tem*	*Majority leader*	*Minority leader*	*Other*
Alabama	$2/L	0	. . .	. . .	
Alaska	$500/y	0	0	0	
Arizona	0	0	0	0	
Arkansas	$2,500/y (a)	0	0	0	All cmte. chairs: $150/m
California	0	0	. . .	. . .	
Colorado	$99/d legis. business (during interim)	0	$99/d legis. business (during interim)	$99/d legis. business (during interim)	
Connecticut	$6,400/y	$3,860/y (b)	$5,290/y	$5,290/y	Dep. Maj. Ldr., Dep. Min. Ldr.: $3,860/y; Asst. Maj. Ldr., Asst. Min. Ldr., All Joint Standing Cmte. Chairs: $2,540/y; Ranking Min. Mbrs. of all Standing Cmtes.: $1,440/y
Delaware	$9,828/y	. . .	$7,644/y	$7,644/y	Maj. Whip, Min. Whip: $4,914/y; Jt. Finance Cmte. Mbrs.: $6,006/y; Jt. Finance Cmte. Chair & V-Chair: $7,098/y
Florida	$8,772/y	0	0	0	
Georgia	$51,945/y	0	$2,400/y	$2,400/y	Admn. Flr. Ldrs.: $2,400/y; Asst. Admn. Flr. Ldrs.: $1,200/y
Hawaii	$5,000/y	. . .	0	0	
Idaho	$3,000/y	. . .	0	0	
Illinois	$16,000/y	. . .	$13,500/y	$16,000/y	Dept. Maj. Ldr., Dept. Min. Ldr.: $11,500/y; Asst. Maj. Ldr., Asst. Min. Ldr.: $10,600/y; Maj. Conf. Chairs, Min. Conf. Chairs: $10,500/y; All cmte. chairs and min. spokesmen: $6,000/y
Indiana	$6,500/y	$5,000/y	. . .	. . .	Caucus Chair, Ways & Means Cmte. Chair: $5,000/y; Maj. Flr. Ldr., Min. Flr. Ldr.: $5,000/y; Maj. Asst. Flr. Ldr., Min. Asst. Flr. Ldr.; Maj. Whip, Min. Whip: $3,500/y
Iowa	$9,800/y	$1,000/y	$9,800/y	$9,800/y	
Kansas	$9,415/y	$4,805/y	$8,493/y	$8,493/y	Asst. Maj. Ldr., Asst. Min. Ldr.: $4,805/y; Appropriations Cmte. Chair: $7,571/y
Kentucky	$25/L	$15/L	. . .	. . .	Maj. Whip, Min. Whip, Maj. Caucus Chair, Min. Caucus Chair: $15/L; All cmte. chairs: $10/d (for cmte. meetings); Maj. Flr. Ldr., Min. Flr. Ldr.: $20/L
Louisiana	$15,200/y	0	. . .	. . .	
Maine	$3,750/y(1992)	0	$1,650/y(1992)	$1,650/y (1992)	Asst. Min. Ldr., Maj. Whip: $937.50 (1992)
Maryland	$10,000/y	0	0	0	
Massachusetts	$35,000/y	. . .	$22,500/y	$22,500/y	Ways & Means Cmte. Chair: $25,000/y; Asst. Maj. Flr. Ldr., Asst. Min. Flr. Ldr., 2nd Asst. Maj. Ldr., 2nd Asst. Min. Ldr., 3rd Asst. Min. Flr. Ldr., Ways & Means Cmte. V-Chair, Post Audit, Taxation Cmte. Chairs, All other Cmte. Chairs, Ways & Means Cmte. Asst. V-Chair, Post Audit V-Chair: $7,500/y
Michigan	$23,000/y	0	. . .	$17,000/y	Maj. Flr. Ldr.: $10,000/y; Min. Flr. Ldr.: $8,000/y; Appropriations Cmte. Chair, Judiciary Cmte. Chair: $5,000/y
Minnesota	$11,191.60/y	. . .	$11,191.60/y	$11,191.60/y	
Mississippi	$40,800/y (c)	0	. . .	. . .	
Missouri	$2,500/y	$1,500/y	. . .	. . .	Maj. Flr. Ldr., Min. Flr. Ldr.: $1,500/y
Montana	$5/L	0	. . .	. . .	
Nebraska	Unicameral Legislature				
Nevada	$2/L	0	. . .	. . .	(d)
New Hampshire	$25/y	0	0	0	Appropriations Cmte. Chair: $182.04/L + mileage. No more than 10 d per biennium.
New Jersey	$11,667/y	0	0	0	
New Mexico	0	. . .	0	0	
New York	$30,000/y	$18,000/y	$25,000/y	$25,000/y	Other leadership positions: between $6,500/y and $25,000/y; All Cmte. Chairs: between $9,000/y and $24,500/y
North Carolina	$22,596/y (e)	$7,272/y (f)	$2,892/y (g)	$2,892/y (g)	
North Dakota	$10/C	. . .	$10/C	$10/C	Standing and Interim Cmte. Chairs: $5/C
Ohio	$22,577.93/y	$17,060.76/y	. . .	$17,060.76/y	Maj. Flr. Ldr: $13,725.27/y; Asst. Min. Ldr.: $12,060.86/y; Asst. Maj. Flr. Ldr.: $10,393.77/y; Min. Whip: $7,062.30/y; Asst. Min. Whip: $1,895.41/y; Finance Cmte. Chair: $7,000/y; All other Cmte. Chairs: $5,000/y; All other Cmte. V-Chairs and Ranking Min. Mbrs.: $3,609/y

See footnotes at end of table.

ADDITIONAL COMPENSATION FOR HOUSE LEADERS—Continued

State	*Speaker*	*Speaker pro tem*	*Majority leader*	*Minority leader*	*Other*
Oklahoma	$14,944/y	0	$10,304/y	$10,304/y	
Oregon	$11,868/y	0	0	0	
Pennsylvania	$26,370/y	. . .	$21,097/y	$21,097/y	Maj. Whip, Min. Whip, Appropriations Cmte. Chair & Min. Chair: $16,011/y; Maj. Caucus Chair, Min. Caucus Chair: $9,983/y; Maj. Caucus Secy., Min. Caucus Secy., Maj. Policy Chair, Min. Policy Chair, Maj. Caucus Administr., Min. Caucus Administr. $6,593/y
Rhode Island	$5/d	0	0	0	
South Carolina	$11,000/y	$3,600/y	0	0	Standing Cmte. Chairs: $400/y
South Dakota	0	0	0	0	
Tennessee	$33,000/y	0	0	0	
Texas	0	0	. . .	. . .	
Utah	$1,000/y	. . .	$500/y	$500/y	
Vermont	$50/w	. . .	0	0	
Virginia	$11,550/y	. . .	0	0	
Washington	$2,000/y	0	0	$1,000/y	
West Virginia	$50/L	0	$25/L	$25/L	
Wisconsin	$25/m	0	0	0	
Wyoming	$3/L	0	. . .	. . .	

Source: National Conference of State Legislatures.

Note: This table reflects the amount paid the leadership in addition to their regular legislative compensation.

Key:
L — Legislative day
C — Calendar day in session
d — day
m — month
w — week
y — year
. . . — Position does not exist or is not selected on a regular basis

(a) Receives a special public relations expense allowance of $10,000/y plus free housing in a state-owned building.

(b) Official title is deputy speaker.

(c) Plus $50/d and mileage for extraordinary sessions.

(d) All standing committee chairs receive $900 unvouchered allowance per session for communications and supplies.

(e) Speaker receives $1,320/m expense allowance.

(f) Speaker pro tem receives $780/m expense allowance.

(g) Majority and minority leaders receive $622/m expense allowance.

TABLE 3.15
STATE LEGISLATIVE RETIREMENT BENEFITS
(As of January 15, 1991)

State or other jurisdiction	*Participation*	*Requirements for regular retirement*	*Contribution rate*	*1991 salary**	*Monthly benefit estimates*					*Benefit formula*	*Same as state employees*
					4 yrs	*8 yrs*	*12 yrs*	*16 yrs*	*20 yrs*		
Alaska	Optional	Age 60 or 30 yrs service	6.75%	$22,872	Not eligible	$305	$467	$639	$810	2% x avg. of the 3 highest consecutive yrs of salary x yrs service	Yes
Arizona	Mandatory	Age 65, 5 yrs service Age 62, 10 yrs service Age 60, 25 yrs service	7%	$15,000						4% x yrs of service x final salary rate (maximum = 80% of salary)	No
Arkansas	Mandatory	Age 65, 10 yrs service Age 55, 35 yrs credited service	Non-contrib.	$7,500	Not eligible	Not eligible	$270	$360	$450	1.8% x 5 yr avg salary x 2 x yrs of service	No
California (a)	Optional	Age 60, 4 yrs service Any age, 20 yrs service	8%	$52,500	$448	$996	$1,344	$1,782	$2,190	5% per yr of service x $500 up to 15 yrs service + 3% per yr x $500 for service in excess of 15 yrs + 3% x total yrs service x (1 month's salary at highest level minus $500). Benefit may not exceed 2/3 of final salary	No
Colorado	Optional	Age 65 and over, 5 yrs service Age 60-65, 20 yrs service Age 55-59, 30 yrs service Any age, 35 yrs service	8%	$17,500	Not eligible	$292	$438	$583	$729	2.5 x highest 3 yr avg salary x yrs of service for first 20 yrs; additional 1% per yr above 20 yrs	Yes
Connecticut	Mandatory	Age 65, 10 yrs service	0%	$16,760	Not eligible	Not eligible	$223	$297	$372	(.0133 x avg annual salary) + [.005 x avg annual salary in excess of "breakpoint" (specific dollar amount for each year)] x yrs credited service	Yes
Delaware	Mandatory	Age 65, 5 yrs service Age 60, 15 yrs service	(b)	$24,213	Not eligible	$323	$484	$646	$807	1/60 of final compensation x yrs of service	Yes
Florida	Mandatory	Age 62 or 30 yrs service	18.21%	$22,560	Not eligible					Yrs of creditable service x % value x avg final compensation (5 highest yrs) varies among different classes within the system	No
Georgia	Optional	Age 65, 8 yrs creditable service (incl. military) Age 62, 8 yrs membership service	3.75% plus $7/month	$10,510	$80	$160	$240	$320	$400	$20/month x yrs of service	Yes

See footnotes at end of table.

STATE LEGISLATIVE RETIREMENT BENEFITS—Continued

State or other jurisdiction	*Participation*	*Requirements for regular retirement*	*Contribution rate*	*1991 salary**	*Monthly benefit estimates*					*Benefit formula*	*Same as state employees*
					4 yrs	*8 yrs*	*12 yrs*	*16 yrs*	*20 yrs*		
Hawaii	Mandatory	Age 55, 5 yrs service Any age, 10 yrs service	7.8%	$27,000						(3.5% x final avg salary x yrs of service) + monthly annuity based on age and member's contribution (maximum 75% of final avg compensation)	Yes (c)
Idaho	Mandatory	Automatically vested; normal age is 65	5.34%	$12,000						Avg monthly salary x .01667 x months service divided by 12	Yes
Illinois	Optional	Age 62, 4 yrs service Age 55, 8 yrs service	11.5% (d)	$35,661	$357	$817	$1,351	$1,946	$2,540	3% x final salary x first 4 yrs service; 3.5% next 2 yrs service; 4% next 2 yrs service; 4.5% next 4 yrs service; 5% for each yr in excess of 12 yrs service	No
Indiana	Mandatory	Age 65, 10 yrs service	5%	$11,600	Not eligible	Not eligible	(e)	(e)	(e)	Lump sum is returned to member at time of retirement; at present salary, benefit would equal $2,900 plus interest per yr of service	No
Iowa	Optional	Age 65, 30 yrs service	3.7%	$18,100	$92	$184	$277	$369	$461	52% x (avg of highest 3 yrs of covered wage) x yrs of service divided by 30	Yes (f)
Kansas	Optional	Age 65, 8 yrs service	Plan 1: 4%	$21,948 (g)	Plan 1: Not eligible	$205	$307	$410	$512	Plan 1: 1.4% x highest 4 yr avg salary x yrs of service	Yes
			Plan 2: 5%		Plan 2: Not eligible	$293	$439	$585	$732	Plan 2: 2% x highest 3 yr avg salary x yrs of service	No
Kentucky	Optional	Age 65, 5 yrs service	5%	$27,500	Not eligible	$504	$756	$1,008	$1,260	2.75% x yrs of service x final salary	No
Louisiana	Optional	Age 60, 10 yrs service Age 55, 12 yrs service Any age, 16 yrs service	11.5%	$16,800	Not eligible	Not eligible	$588	$784	$980	Highest 3 yr avg salary x [(2.5% x yrs of service as state employee) + (1% x yrs in legislature)]	Yes
Maine	Mandatory (h)	Age 60, 1 yr service Any age, 25 yrs service	4%	$8,800	$59	$117	$176	$235	$293	Yrs service x 3 yr avg salary	Yes (but employee contribution = 6.5%)
Maryland	Optional	Age 60, 8 yrs service	5%	$27,000	Not eligible	$417	$625	$833	$1,042	2.5% x highest yr salary x yrs of service (maximum 24 yrs or 60%)	No

See footnotes at end of table.

STATE LEGISLATIVE RETIREMENT BENEFITS—Continued

State or other jurisdiction	*Participation*	*Requirements for regular retirement*	*Contribution rate*	*1991 salary**	*Monthly benefit estimates*					*Benefit formula*	*Same as state employees*
					4 yrs	*8 yrs*	*12 yrs*	*16 yrs*	*20 yrs*		
Massachusetts	Optional	Age 65, 6 yrs service	Before 1975: 5%; 1975-83: 7%; 1983-1/88: 8%; after 1/88: 8% of first $30,000 salary and 10% of additional salary	$30,000	Not eligible	$500	$750	$1,000	$1,250	2.5% x 3 yr avg salary x yrs of service	Yes (i)
Michigan	Optional	Age 55, 5 yrs service Age 50, 20 yrs service	9%	$45,450	Not eligible	$1,212	$1,818	$2,424	$2,576	20% x final salary x yrs of service after 5 yrs service; 4% of highest salary per yr for yrs 6-15; 1% per yr for yrs 16-20 (maximum 64%)	No
Minnesota	Mandatory	Age 62, 6 yrs service	9%	$33,019	Not eligible	$550	$825	$1,100	$1,376	2.5% x yrs of service x highest 5 yr avg salary	Yes (but has different contribution rate)
Mississippi	Optional	Age 60, 4 yrs service Age 55, 25 yrs service Any age, 30 yrs service	6.5% (j)	$10,000	$200	$325	$575	$750	$938	(1.875% x yrs of credit x avg compensation) + 50% of PERS benefit for legislative time	No (j)
Missouri	Mandatory	Age 60, 6 yrs service	0%	$22,870	Not eligible	$320	$630	$840	$1,300	$80/month x number of terms served (for first 3-4 terms); $105/month x number of terms from 5-9; $130/month x number of terms for 10 or more terms	No
Montana	Optional	Age 50, 5 yrs with reduced benefits Age 60, 5 yrs service Any age, 30 yrs service	6%	$13,554	Not eligible	$151	$226	$301	$377	1.67% x yrs of service x highest 3 yr avg salary	Yes
Nevada	Mandatory	Age 60, 10 yrs service	15%	$3,900	Not eligible	Not eligible	$300	$400	$500	$25/month per yr of service up to 30 yrs	No
New Jersey	Mandatory	Age 60	5%	$35,000	$350	$700	$1,050	$1,400	$1,750	3% x highest 3 yr avg salary x yrs of service	Yes
New York	Mandatory	Age 62, 10 yrs service	3%	$57,500	Not eligible	Not eligible	$955	$1,273	$1,591	1.66% x final avg salary x yrs service	Yes
North Carolina	Mandatory	Age 65, 5 yrs service	7%	$12,504	Not eligible	$335	$502	$670	$782	4% x final salary x yrs of service (maximum = 75% of salary)	Yes

See footnotes at end of table.

STATE LEGISLATIVE RETIREMENT BENEFITS—Continued

State or other jurisdiction	*Participation*	*Requirements for regular retirement*	*Contribution rate*	*1991 salary**	*Monthly benefit estimates*					*Benefit formula*	*Same as state employees*
					4 yrs	*8 yrs*	*12 yrs*	*16 yrs*	*20 yrs*		
Ohio	Optional	Age 60, 5 yrs service Age 55, 25 yrs service Any age, 30 yrs service	8.5%	$40,407	Not eligible	$539	$808	$1,077	$1,347	2.1% x 3 yr avg salary x yrs of service (maximum 90% of salary) up to 30 yrs service; 2.5% for each additional yr service after 30 yrs	Yes, but mandatory for state employees
Oklahoma	Optional	Age 60, 6 yrs service	4.5% to 10% up to $25,000 (member can opt to contribute 10% on remaining $7,000)	$32,000	Not eligible	$853	$1,280	$1,706	$2,133	Salary x compensation factor x yrs service divided by 12	No
Oregon	Optional	Age 58 Age 55, 30 yrs service	0%	$11,868	$79	$158	$237	$316	$396	1.67% x yrs service and final avg monthly salary	Yes
Pennsylvania	Optional	Age 50, 3 yrs service If in system before 3/1/74, age 50, 21 yrs service	Before 3/1/74: 18.75% 3/1/74-7/22/83: 5% After 7/23/83: 6.25%	$47,000	$313	$627	$940	$1,253	$1,565	Before 3/1/74: 2% x highest 3 yr avg salary x yrs of service x 3.75% All others: 2% x highest 3 yr avg salary x yrs service	No
Rhode Island	Optional	Age 55, 8 yrs service	30% or $90/yr	$300	Not eligible	$400	$600	$800	$1,000	$600/yr of service (maximum $12,000/yr at 20 yrs of service)	No (k)
South Carolina	Mandatory	Age 60 Any age, 30 yrs service	10%	$13,600 (l)	$269	$539	$809	$1,079	$1,348	4.82% x yrs of service x "normal compensation" (l)	No
Tennessee	Optional	Age 55, 4 yrs service	0%	$16,500	$280	$560	$840	$1,120	$1,400	$70/month x yrs service	No
Texas	Optional	Before 8/31/83: Age 60, 8 yrs service Age 55, 12 yrs service After 8/31/83: Age 60, 10 yrs service Age 55, 30 yrs service	8%	$7,200	Not eligible	$1,017	$1,526	$2,035	$2,544	2% x yrs of service x state district judge's salary	Yes
Utah	Optional	Age 65, 4 yrs service	0%	$65/day	$40	$80	$120	$160	$200	$10/month x yrs service	No
Virginia	Mandatory	Age 65 Age 55, 30 yrs service	0%	$18,000	Not eligible	$185	$277	$370	$462	If avg salary is less than $13,200: .015 x highest 3 yr avg x yrs of service. If avg salary is greater than $13,200: .0165 x (highest 3 yr avg salary minus $1,200) x yrs of service	Yes
Washington	Optional	Plan 1: Age 60, 5 yrs service	7.5%	$19,900(m)	Not eligible	$330	$495	$660	$825	3% x highest 2 yr avg salary x yrs of service	Yes
		Plan 2: Age 65, 5 yrs service	4.7%	-	Not eligible	$220	$330	$440	$550	2% x highest 5 yr avg salary x yrs of service	Yes

STATE LEGISLATIVE RETIREMENT BENEFITS—Continued

State or other jurisdiction	*Participation*	*Requirements for regular retirement*	*Contribution rate*	*1991 salary**	*Monthly benefit estimates*					*Benefit formula*	*Same as state employees*
					4 yrs	*8 yrs*	*12 yrs*	*16 yrs*	*20 yrs*		
West Virginia	Optional	Age 55, 5 yrs service	4.5%	$6,500	Not eligible	$87	$130	$173	$217	2% x yrs of service x highest 3 consecutive yr avg salary	Yes
Wisconsin	Mandatory	Age 62 Age 57, 30 yrs service	.6%	$33,622	$226	$451	$677	$903	$1,128	2% per yr x statutory salary	Yes
Dist. of Columbia ...	Mandatory	Age 62, 5 yrs service Age 60, 20 yrs service Age 55, 30 yrs service	7%	$71,885	Not eligible	$764	$1,213	$1,692	$2,172	1.5% x highest 3 yr avg salary x first 5 yrs service; 1.75% x highest 3 yr avg salary x yrs 6-10; 2% x highest 3 yr avg salary x all service over 10 yrs	Yes

Source: National Conference of State Legislatures.

Note: The following states do not have legislative retirement benefits: Alabama, Nebraska, New Hampshire, New Mexico, North Dakota, South Dakota, Vermont and Wyoming.

* An estimated, annualized salary is used for purposes of computing retirement benefits.

(a) Newly elected legislators as of January 1, 1991 will not be eligible to participate in the legislative retirement plan.

(b) 3 percent of total monthly compensation over $500 plus 2 percent of that portion exceeding the amount determined by dividing social security wage base by 12.

(c) Plans for legislators are the same as for state employees except that state employees have a different benefit formula (2 percent rather than 3.5 percent) and legislators need only serve 10 yrs to receive maximum benefits.

(d) Member contribution is 8.5 percent plus 1 percent for an automatic annual increase in annuity plus 2 percent for a survivor annuity that is refunded if the member is unmarried at time of retirement.

(e) Retirement plan allows members to withdraw entire lump sum upon retirement and purchase their own annuities. State's contribution is 20 percent of salary.

(f) Yes, with special prior service buy-in provisions if both employer-employee contributions are paid by a legislator.

(g) Members may figure their contribution rate based on base pay alone ($21,948/yr); base pay plus interim expense allowance ($27,348/yr); or base pay, interim expense allowance and session expenses ($53,016).

(h) Legislators may petition not to participate if they can provide documentation that it will exacerbate their federal income tax liability due to the ownership of another retirement plan.

(i) Plans are the same except that state employees are vested for 10 yrs.

(j) Legislators are eligible for both regular retirement at 6.5 percent employee contribution rate and legislative supplement retirement system at 3 percent contribution rate.

(k) State employees contribute 7.5 percent of their annual salaries.

(l) Annual salary plus in-district expenses ($10,400 + $3,600).

(m) All Washington benefit estimates are from 1990 and based on 1990 salaries.

Table 3.16
MECHANISMS USED TO EXPEDITE AND STREAMLINE BILL PROCESSING

State	*Prefiling of bills*	*Carryover of bills from 1st session*	*Companion bills*	*Deadlines for the introduction of bills*	*Deadlines for committee action*	*Deadlines for 1st and 2nd House action*	*Committee bills*
Alabama	B	. . .	B	S	. . .	. . .	. . .
Alaska	B	B	B	B	. . .	. . .	B
Arizona	B	. . .	. . .	B	B	B	B
Arkansas	B	. . .	. . .	B	. . .	. . .	B
California	B	B	H	B	H	H	H
Colorado	B	. . .	. . .	B	B	B	S
Connecticut	B	. . .	. . .	B	B	. . .	B
Delaware	B	H	. . .	H (a)	H	. . .	. . .
Florida	B	. . .	B	B	H	. . .	B
Georgia	. . .	B	. . .	B	. . .	S	. . .
Hawaii	B	B	H	B	B	B	. . .
Idaho	. . .	. . .	. . .	S	. . .	. . .	S
Illinois	B	S	. . .	B	B	B	B
Indiana	B	. . .	. . .	B	B	B	. . .
Iowa	B	B	B	B	B	B	B
Kansas	B	B	. . .	B	H	H	B
Kentucky	B	. . .	B	B	B	. . .	. . .
Louisiana	B	. . .	. . .	B	. . .	. . .	H
Maine	B	B	H	B	B	. . .	. . .
Maryland	B	. . .	S	B	B	B	B
Massachusetts	B	. . .	S	B	B	. . .	B
Michigan	. . .	B	S	. . .	B	. . .	. . .
Minnesota	H	B	B	. . .	B	H	B
Mississippi	B	. . .	. . .	B	B	B	. . .
Missouri	B	. . .	S	B	. . .	. . .	. . .
Montana	B	. . .	. . .	B	B	B	B
Nebraska (b)	S	S	. . .	S	. . .	. . .	S
Nevada	B	. . .	. . .	(c)	. . .	. . .	. . .
New Hampshire	B	H	. . .	B	H	B	. . .
New Jersey	B	B	B	S	. . .	. . .	S
New Mexico	B	. . .	. . .	B	. . .	. . .	. . .
New York	B	B	B	B	B	. . .	. . .
North Carolina	B	B	B	B	H	B	B
North Dakota	B	. . .	. . .	B	B	B	B
Ohio	B	B	. . .	. . .	. . .	. . .	. . .
Oklahoma	B	B	. . .	B	B	B	. . .
Oregon	B	. . .	. . .	B	B	. . .	B
Pennsylvania	S	S	. . .	. . .	. . .	. . .	. . .
Rhode Island	B	B	. . .	B	. . .	. . .	. . .
South Carolina	B	B	B	S	H	. . .	S
South Dakota	B	. . .	. . .	B	B	B	B
Tennessee	B	B	B	B	. . .	. . .	S
Texas	B	. . .	S	B	. . .	. . .	. . .
Utah	B	. . .	. . .	B	H	. . .	B
Vermont	B	B	S	B	B	. . .	H
Virginia	B	B	. . .	B	B	B	. . .
Washington	B	B	S	S	B	B	H
West Virginia	B	H	H	B	H	B	H
Wisconsin	. . .	H	H	. . .	. . .	. . .	. . .
Wyoming	B	. . .	. . .	B	. . .	B	B

Source: National Conference of State Legislatures.
Key:
S — Senate
H — House
B — Both chambers
. . . — Not applicable

(a) During second session of biennium only.

(b) Unicameral legislature.

(c) Requests submitted to Legislative Counsel for bill drafting must be placed by the 10th calendar day of the session; however, there is no deadline as to when the bill can be introduced.

Table 3.17
BILL PRE-FILING, REFERENCE, AND CARRYOVER

State or other jurisdiction	Pre-filing of bills allowed (a)	Bills referred to committee by:		Bill referral restricted by rule		Bill carryover allowed (b)
		Senate	House	Senate	House	
Alabama	★ (c)	President (d)	Speaker	★	. . .	. . .
Alaska	★ (e)	President	Speaker	★	★	★
Arizona	★	President	Speaker	. . .	. . .	. . .
Arkansas	★	President	Speaker	★	★	. . .
California	(f)	Rules Cmte.	Rules Cmte.	★	. . .	★ (g)
Colorado	★	President	Speaker	. . .	. . .	. . .
Connecticut	★	Pres. Pro Tempore	Speaker	★	★	. . .
Delaware	★	President (d)	Speaker	. . .	. . .	★
Florida	★	President	Speaker	★	★	. . .
Georgia	. . .	President (d)	Speaker	. . .	. . .	★
Hawaii	(h)	President	Speaker	★	★	★
Idaho	. . .	President (d)	Speaker	. . .	. . .	. . .
Illinois	★	Cmte. on Assignment	Cmte. on Assignment	. . .	. . .	★
Indiana	★	Pres. Pro Tempore	Speaker	. . .	. . .	. . .
Iowa	★	President	Speaker	. . .	. . .	★
Kansas	★	President	Speaker	★	★	★
Kentucky	★	Cmte. on Cmtes.	Cmte. on Cmtes.	★	★	. . .
Louisiana	★	President (i)	Speaker (i)	★	★	. . .
Maine	★ (j)	--------Secy. of Senate and Clerk of House (k)--------		. . .	. . .	★
Maryland	★	President	Speaker	(l)	(l)	. . .
Massachusetts	★	Clerk (i)	Clerk (i)	★	★	. . .
Michigan	. . .	Majority Ldr.	Speaker	. . .	. . .	★
Minnesota	★ (m)	President	Speaker	(l)	(l)	★
Mississippi	★	President (d)	Speaker	. . .	. . .	. . .
Missouri	★	Pres. Pro Tempore	Speaker	★	★	. . .
Montana	★	President	Speaker	. . .	. . .	. . .
Nebraska (U)	★	Reference Cmte.	(U)	★	. . .	★
Nevada	★	(n)	Speaker	★	. . .	. . .
New Hampshire	★	President	Speaker	★	★	★
New Jersey	★ (j)	President	Speaker	. . .	. . .	★
New Mexico	★	Pres. Pro Tempore (i)	Speaker	(l)	(l)	. . .
New York	★	Pres. Pro Tempore (o)	Speaker	. . .	. . .	★
North Carolina	★	Clerk (p)	Speaker	(l)	(l)	★
North Dakota	★	President (d)	Speaker	★	(l)	. . .
Ohio	★	Reference Cmte.	Reference Cmte.	. . .	. . .	★
Oklahoma	★	Pres. Pro Tempore	Speaker	(l)	. . .	★
Oregon	★	President	Speaker	★	★	. . .
Pennsylvania	★	President (d)	Speaker	. . .	. . .	★
Rhode Island	★	President (d)	Speaker	★	. . .	★
South Carolina	★	(q)	Speaker	. . .	★	★
South Dakota	★	President (d)	Speaker	. . .	. . .	. . .
Tennessee	★	Speaker	Speaker	★	. . .	★
Texas	★	President (d)	Speaker	. . .	★	. . .
Utah	★	President	Speaker	. . .	. . .	. . .
Vermont	★	President (d)	Speaker	★	★	★
Virginia	★	Clerk	Clerk (r)	★	. . .	★
Washington	★	(q)	(q)	. . .	. . .	★
West Virginia	★	President	Speaker	. . .	★	★
Wisconsin	. . .	President	Speaker	. . .	. . .	★ (s)
Wyoming	★ (j)	President	Speaker	. . .	. . .	. . .
Guam (U)	★	Rules Cmte.	(U)	★	. . .	★
No. Mariana Islands	★	President (t)	Speaker	★	★	. . .
U.S. Virgin Islands (U)	★	President	(U)	★	. . .	★

See footnotes at end of table.

BILL PRE-FILING, REFERENCE, AND CARRYOVER—Continued

Source: State legislative rule books and manuals.

Key:

★ — Yes

. . . — No

(U) — Unicameral legislature

(a) Unless otherwise indicated by footnote, bills may be introduced prior to convening each session of the legislature. In this column only: ★—prefiling is allowed in both chambers (or in the case of Nebraska, Guam, and the U.S. Virgin Islands, in the unicameral legislature); . . .—pre-filing is not allowed in either chamber.

(b) Bills carry over from the first year of a legislature to the second (does not apply in Arkansas, Kentucky, Montana, Nebraska, North Dakota, Oregon and Texas, where legislatures meet biennially). Bills generally do not carry over after an intervening legislative election.

(c) Except between the end of the last regular session of the legislature in any quadrennium and the organizational session following the general election.

(d) Lieutenant governor is the president of the Senate.

(e) Maximum 10 bills per member.

(f) California has a continuous legislature. Members may introduce bills at any time during the biennium.

(g) Bills introduced in the first year of the regular session and passed by the house of origin on or before January 30 of the second year are "carryover bills."

(h) House only in even-numbered years.

(i) Subject to approval or disapproval. Louisiana—majority of members present. Massachusetts—by presiding officer and Committee on Steering and Policy.

(j) Prior to convening of first regular session only.

(k) For the joint standing committee system. Secretary of Senate and clerk of House, after conferring, suggest an appropriate committee reference for every bill, resolve and petition offered in either house. If they are unable to agree, the question of reference is referred to a conference of the president of the Senate and speaker of the House. If the presiding officers cannot agree, the question is resolved by the Legislative Council.

(l) Not restricted, except: Maryland—local bills; Minnesota—in House, bills referred to Appropriations, Governmental Operations and Taxes Committees; in Senate, bills referred to Finance and Governmental Operations Committees. New Hampshire—in Senate, bills referred to Finance and Capital Budget Committees. New Mexico—in House, bills referred to Appropriations and Finance Committee; in Senate, bills referred to Finance Committee. North Carolina—bills referred to Appropriations, Finance, and House Ways and Means committees. North Dakota—bills referred to Appropriations Committee. Oklahoma—in Senate, bills referred to Appropriations Committees.

(m) Prior to convening of second regular session only.

(n) Motion for referral can be made by any member.

(o) Also serves as majority leader.

(p) Under the supervision of the chairman of the Senate Committee on Rules and Operation.

(q) By the membership of the chamber.

(r) Under the direction of the speaker.

(s) Any bill, joint resolution on which final action has not been taken at the conclusion of the last general-business floor period in the odd-numbered year shall be carried forward to the even-numbered year.

(t) With the advice of the Committee on Rules and Procedure.

Table 3.18
TIME LIMITS ON BILL INTRODUCTION

State or other jurisdiction	*Time limit on introduction of bills*	*Procedure for granting exception to time limits*
Alabama	Senate: 24th L day of regular session (a). House: no limit.	Majority vote after consideration by Rules Committee.
Alaska	35th C day of 2nd regular session (b).	2/3 vote of membership (concurrent resolution).
Arizona	29th day of regular session; 10th day of special session.	Permission of Rules Committee.
Arkansas	55th day of regular session (50th day for appropriations bills).	2/3 vote of membership of each house.
California	March 8 of odd-year session; Feb. 21 of even-year session (c).	Approval of Committee on Rules and 2/3 vote of membership.
Colorado	House: 22nd L day of regular session. Senate: 17th L day of regular session (d).	House, Senate Committees on Delayed Bills may extend deadline.
Connecticut	Depends on schedule set out by joint rules adopted for biennium (e).	2/3 vote of members present.
Delaware	House: no introductions during last 30 C days of 2nd session. Senate: no limit.	
Florida	House: noon 2nd day of regular session (b); Senate: noon 4th L day of regular session (d,f).	House: 2/3 vote of members present. Senate: majority of those present; Committee on Rules and Calendar determines whether existence of emergency compels bill's consideration.
Georgia	House: 30th L day of regular session because of Senate ruling; Senate: 33rd L day of regular session.	House: unanimous vote. Senate: 2/3 vote of membership.
Hawaii	Actual dates established during session.	Unanimous vote of membership.
Idaho	House: 20th day of session (g); 45th day of session (h). Senate: 12th day of session (g); 35th day of session (h).	
Illinois	April 12 of odd year of session (d,g).	House: rules governing limitations may not be suspended except for bills determined by a majority of all the members of the Rules Committee to be an emergency bill. Senate: rules may be suspended by affirmative vote of majority of members; suspensions approved by Rules Committee, adopted by majority of members present.
Indiana	House: 16th day of 1st regular session; 4th day of 2nd regular session. Senate: 10th day of 1st regular session; 4th day of 2nd regular session.	House: 2/3 vote of membership; Senate: consent of Rules and Legislative Procedures Committee.
Iowa	House: Friday of 7th week of 1st regular session (g,i,j); Friday of 2nd week of 2nd regular session (g,i,j). Senate: Friday of 7th week of 1st regular session (g,i,j); Friday of 2nd week of 2nd regular session (g,i).	Constitutional majority.
Kansas	31st C day in 1991 regular session and 1992 sessions; 45th day of regular session for committees (k).	Resolution adopted by majority of members of either house may make specific exceptions to deadlines.
Kentucky	House: 38th L day of regular session; Senate: no introductions during last 20 L days of session.	Majority vote of membership each house.
Louisiana	15th C day of regular session (l).	2/3 vote of elected members of each house.
Maine	Last Friday in December of 1st regular session; deadlines for 2nd regular session established by Legislative Council (b,m).	Approval of majority of members of Legislative Council.
Maryland	No introductions during last 35 C days of regular session.	2/3 vote of elected members of each house.
Massachusetts	1st Wednesday in December even numbered years, preceeding regular session (n). 1st Wednesday in November odd numbered years, preceeding regular session (n).	2/3 vote of members present and voting.
Michigan	No limit.	
Minnesota	No limit.	
Mississippi	14th C day of 90-day session; 51st C day of 125-day session (d,p).	2/3 vote of members present and voting.
Missouri	60th L day of regular session (d).	Majority vote of elected members each house; governor's request for consideration of bill by special message.
Montana	Individual introductions: 14th L day; revenue bills: 21st L day; committee bills and resolutions: 40th L day; committee bills: 78th L day; committee revenue bills: 66th L day (d,q).	2/3 vote of members.
Nebraska	10th L day of any session (d,r).	3/5 vote of elected membership for standing or special committees to introduce bills after 10th L day.

See footnotes at end of table.

TIME LIMITS ON BILL INTRODUCTION—Continued

State or other jurisdiction	*Time limit on introduction of bills*	*Procedure for granting exception to time limits*
Nevada	10th C day of regular session (s).	2/3 vote of members present; also standing committee of a house if request is approved by 2/3 members of committee. Consent to suspend rule may be given only by affirmative vote of majority of members elected.
New Hampshire	Actual dates established during session. 1991-House: must file by title by July 1. Senate: draft requests by October 4.	2/3 vote of members present.
New Jersey	Assembly: No printing of bills after September 1 during 2nd session; Senate: no limit.	Majority vote of members.
New Mexico	30th L day of regular session (d,t); appropriations bills: 50th L day of regular session.	2/3 vote of members present.
New York	Assembly: for unlimited introduction of bills, 1st Tuesday in March; for introduction of 10 or fewer bills, last Tuesday in March (u,v). Senate: 1st Tuesday of March (v,w).	Unanimous vote.
North Carolina	3rd Thursday in March of 1st biennial session (x).	House: 2/3 of members present and voting; Senate: 2/3 vote of membership.
North Dakota	House: 11th L day (y); Senate: 16th L day (y); resolutions: 18th L day (z); bills requested by executive agency or Supreme Court: Dec. 10 prior to regular session.	2/3 vote or approval of majority of Committee on Delayed Bills.
Ohio	House: after March 15 of 2nd regular session; majority vote of members may end bill introductions.	House majority vote on recommendation of bill by Reference Committee.
Oklahoma	February 7 for house of origin in 1st session (aa); February 6 for 2nd session (bb).	2/3 vote of membership.
Oregon	House: 36th C day of session (cc); Senate: 36th C day following election of Senate president (dd).	2/3 vote of membership.
Pennsylvania	No limit (ee).	
Rhode Island	Actual dates established during session: Public bills - 1991, February 14.	House: 2/3 vote of members present. Senate: majority present and voting.
South Carolina	House: April 15 of regular session; May 1 for bills first introduced in Senate (d,ff). Senate: May 1 of regular session for bills originating in House (d).	House: 2/3 vote of members present and voting; Senate: 2/3 vote of membership.
South Dakota	40-day session: 15th L day; committee bills and joint resolutions, 16th L day. 35-day session: 10th L day; committee bills and joint resolutions, 11th L day; bills introduced at request of department, board, commission or state agency: 2nd L day (d,gg).	2/3 of membership.
Tennessee	House: general bills, 10th L day of regular session (hh). Senate: general bills, 10th L day of regular session; resolutions, 40th L day (hh).	Unanimous consent of Committee on Delayed Bills.
Texas	60th C day of regular session (ii).	4/5 vote of members present and voting.
Utah	30th C day of session.	House: 2/3 vote of all members present; Senate: majority of membership.
Vermont	House, Individual introductions: 1st session, March 1; 2nd session, Feb. 1. Committees: 10 days after 1st Tuesday in March (jj). Senate, individual and committee: 1st session, 53rd C day; 2nd session, sponsor requests bill drafting 25th C day before session (kk).	Approval by Rules Committee.
Virginia	Deadlines may be set during session.	
Washington	(Constitutional limit) No introductions during final 10 days of regular session (d,ll).	2/3 vote of elected members of each house.
West Virginia	House: 53rd day of regular session (d); Senate: 41st day of regular session (d,g).	2/3 vote of members present.
Wisconsin	No limit.	
Wyoming	House: 15th L day of session (d); Senate: 12th L day of session (d).	2/3 vote of elected members of either house.
Guam	No limit.	
U.S. Virgin Islands	No limit.	

TIME LIMITS ON BILL INTRODUCTION—Continued

Source: State legislative rule books and manuals.

Key:
C — Calendar
L — Legislative

(a) Not applicable to local bills that have been advertised or general bills of local application.

(b) Not applicable to bills sponsored by any joint committees. In Florida, also does not apply to short-form bills.

(c) Not applicable to constitutional amendments, committee bills introduced pursuant to Assembly Rule 47 or Senate Rule 23, bills introduced in Assembly with permission of speaker or bills introduced in Senate with permission of Senate Rules Committee. Subject to these deadlines, bills may be introduced at any time, except when the houses are in joint summer, interim, or final recess.

(d) Not applicable to appropriations bills. In West Virginia, supplementary appropriations bills or budget bills.

(e) Not applicable to (1) bills providing for current government expenditures; (2) bills the presiding officers certify are of an emergency nature; (3) bills the governor requests because of emergency or necessity; and (4) the legislative commissioners' revisor's bills and omnibus validating act.

(f) Not applicable to local bills and joint resolutions.

(g) Not applicable to standing committee bills.

(h) Not applicable to House State Affairs, Appropriations, Education, Revenue and Taxation, or Ways and Means committees, nor to Senate State Affairs, Finance, Judiciary and Rules, or Ways and Means.

(i) Unless written request for drafting bill had been filed before deadline.

(j) Not applicable to bills co-sponsored by majority and minority floor leaders.

(k) Not applicable to Senate Ways and Means; Federal and State Affairs and the select committees of either house; or House committees on Calendar and Printing, Appropriations and Taxation.

(l) Not applicable to concurrent resolutions proposing suspension of law and bills reported by substitute.

(m) Not applicable to bills intended to facilitate legislative business.

(n) Not applicable to messages from governor, reports required or authorized to be made to legislature, petitions filed or approved by voters of cities or towns (or by mayors and city councils) for enactment of special legislation and which do not affect the powers and duties of state departments, boards, or commissions.

(o) Not applicable to bills recommended by conference committee reports, Rules and Legislative Administration Committee, the Senate, or the governor.

(p) Not applicable to revenue, local and private bills.

(q) Not applicable to interim study resolutions or joint resolutions concerning administration.

(r) Not applicable to 'A' bills and those introduced at the request of the governor.

(s) Requests submitted to legislative counsel for bill drafting. Does not apply to standing committees or to member who had requested bill drafting before 11th C day of session.

(t) Not applicable to bills to provide for current government expenses; bills referred to legislature by governor by special message setting forth emergency necessitating legislation.

(u) Does not apply to bills introduced by Rules Committee, by message from the Senate, with consent of the speaker or by members elected at special election who take office on or after the first Tuesday of March.

(v) In no case may a bill be introduced on Fridays, unless submitted by governor or introduced by Rules Committee or by message from Senate.

(w) Bills recommended by state department or agency must be submitted to office of temporary president not later than March 1. Bills proposed by governor, attorney general, comptroller, department of education or office of court administration must be submitted to office of temporary president no later than first Tuesday in April.

(x) Not applicable to local and public bills or bills establishing districts for Congress or state or local entities.

(y) No member other than majority and minority leaders may introduce more than five bills in House after the 6th L day; three bills in Senate after 11th L day.

(z) Not applicable to resolutions proposing amendments to U.S. Constitution or directing Legislative Council to carry out a study (deadline, 34th L day).

(aa) Final date for consideration on floor in house of origin during first session. Bills introduced after date are not placed on calendar for consideration until second session.

(bb) Not applicable to reapportionment bills.

(cc) Not applicable to measures approved by Committee on Legislative Rules, Operations and Reform or by speaker; appropriation or fiscal measures sponsored by Joint Committee on Ways and Means; true substitute measures sponsored by standing, special or joint committees; or measures drafted by legislative counsel.

(dd) Not applicable to measures approved by Rules Committee, appropriation or fiscal measures sponsored by Joint Committee on Ways and Means or measures requested for drafting by legislative counsel.

(ee) Resolutions fixing the last day for introduction of bills in the House are referred to the Rules Committee before consideration by the full House.

(ff) Not applicable to joint resolutions approving or disapproving agency regulations.

(gg) Not applicable to governor's bills.

(hh) Not applicable to certain local bills.

(ii) Not applicable to local bills, resolutions, emergency appropriations or all emergency matters submitted by governor in special messages to the legislature.

(jj) Not applicable to Appropriations or Ways and Means committees.

(kk) Not applicable to Appropriations or Finance committees.

(ll) Not applicable to substitute bills reported by standing committees for bills pending before such committees.

VETO, VETO OVERRIDE AND EFFECTIVE DATE—Continued

comes law on the day the house of origin reconvenes. If on the 10th day, the legislature is in adjournment *sine die*, the bill becomes law if the governor signs it within 45 days (excluding Sundays) after the adjournment. On the 45th day, the bill becomes law unless he returns it with his objections (1) on the 45th day if the house of origin has convened in regular or special session of the same two-year legislature; (2) on the day upon which the house reconvenes, if it is in temporary adjournment on the 45th day; or (3) on the 45th day (if the house is in adjournment *sine die*) at the special session which convenes on that day (without petition or call) for the sole purpose of acting on returned bills.

(x) Governor has no approval or veto power.

(y) July 1 after filed with secretary of state or 90 days after filed, whichever comes later.

(z) Must include majority of elected members.

(aa) Special sessions—first day of fourth month after adjournment.

(bb) Five days for appropriations bills.

(cc) Laws required to be approved only by the governor. An act required to be approved by the U.S. Secretary of the Interior only after it is vetoed by the governor and so approved takes effect 40 days after it is returned to the governor by the secretary.

(dd) U.S. Congress may annul.

(ee) Twenty days for appropriations bills.

Table 3.19
ENACTING LEGISLATION: VETO, VETO OVERRIDE AND EFFECTIVE DATE

State or other jurisdiction	Governor may item veto appropriation bills		Days allowed governor to consider bill (a)			Votes required in each house to pass bills or items over veto (c)	Effective date of enacted legislation (d)
			During session	After session			
	Amount	Other (b)	Bill becomes law unless vetoed	Bill becomes law unless vetoed	Bill dies unless signed		
Alabama	★	★	6		10A	Majority elected	Immediately (e)
Alaska	★ (f)	. . .	15	20P		2/3 elected (g)	90 days after enactment
Arizona	★	. . .	5	10A		2/3 elected	90 days after adjournment
Arkansas	★	★	5	20A (h)		Majority elected	90 days after adjournment
California	★ (f)	. . .	12 (h,i)	(i)		2/3 elected	(j)
Colorado	★	★	10 (h)	30A (h)		2/3 elected	Immediately (k)
Connecticut	★	★	5	15P (h)		2/3 elected	Oct. 1
Delaware	★	★	10		30A (h)	3/5 elected	Immediately
Florida	★	★	7 (h)	15P (h)		2/3 elected	60 days after adjournment
Georgia (l)	★	. . .	6 (h)	40A (h,m)		2/3 elected	July 1 (n)
Hawaii (l)	★ (f)	. . .	10 (o,p)	45A (o,p)	(p)	2/3 elected	Immediately
Idaho	★	★	5	10A		2/3 elected	60 days after adjournment
Illinois	★ (f)	. . .	60 (h)	60P (h)		3/5 elected (g)	Jan. 1 (n)
Indiana	. . .	. . .	7	7P (h)		Majority elected	(q)
Iowa	★	★	3	(r)	(r)	2/3 elected	July 1 (n)
Kansas	★	. . .	10 (h)	10P		2/3 elected	Upon publication
Kentucky	★	. . .	10	10A		Majority elected	90 days after adjournment
Louisiana (l)	★	★	10 (h)	20P (h)		2/3 elected	60 days after adjournment
Maine	. . .	. . .	10	(m)		2/3 present	90 days after adjournment
Maryland (l)	★	★	6	30P (m)		3/5 elected	June 1 (s)
Massachusetts	★ (f)	★	10		10P	2/3 present	90 days after enactment
Michigan	★ (f)	★	14 (h)		14P (h)	2/3 elected and serving	90 days after adjournment
Minnesota	★	. . .	3		14A	2/3 elected	Aug. 1 (t)
Mississippi	★	★	5	15P (m)		2/3 elected	60 days after enactment
Missouri	★	. . .	15 (h,r)	45P (h,m,r)		2/3 elected	90 days after adjournment (t,u)
Montana	★	★	5 (h)	25A (h)		2/3 present	Oct. 1 (u)
Nebraska	★ (v)	. . .	5	5A		3/5 elected	3 months after adjournment
Nevada	. . .	. . .	5	10A		2/3 elected	Oct. 1
New Hampshire	. . .	. . .	5		5P	2/3 elected	60 days after enactment
New Jersey	★ (f)	. . .	(w)	(w)	(w)	2/3 elected	July 4
New Mexico	★	. . .	3		20A	2/3 present	90 days after adjournment (t)
New York	★	. . .	10		30A	2/3 elected	20 days after enactment
North Carolina	(x)						30 days after adjournment
North Dakota	★ (f)	★	3	15A		2/3 elected	(y)
Ohio	★	★	10	10A		3/5 elected	90 days after filed with secretary of state
Oklahoma	★	★	5		15A	2/3 elected (g)	90 days after adjournment
Oregon	★	★	5 (o)	30A (o)		2/3 present	90 days after adjournment
Pennsylvania	★ (f)	★	10 (h)	30A (h)		2/3 elected	60 days after enactment
Rhode Island	. . .	. . .	6	10A (h)		3/5 present	10 days after adjournment
South Carolina	★	★	5	(m)		2/3 present	20 days after enactment
South Dakota	★	★	5 (h)	15A (h)		2/3 elected	90 days after adjournment
Tennessee	★ (f)	. . .	10	10A		Majority elected	40 days after enactment
Texas	★	. . .	10	20A		2/3 present	90 days after adjournment
Utah	★	. . .	10	20A (h)		2/3 elected	60 days after adjournment
Vermont	. . .	. . .	5		3A	2/3 present	July 1

VETO, VETO OVERRIDE AND EFFECTIVE DATE—Continued

State or other jurisdiction	*Governor may item veto appropriation bills*		*Days allowed governor to consider bill* (a)			Votes required in each house to pass bills or items over veto (c)	Effective date of enacted legislation (d)
			During session	*After session*			
	Amount	*Other* (b)	*Bill becomes law unless vetoed*	*Bill becomes law unless vetoed*	*Bill dies unless signed*		
Virginia	★	★	7 (h)		30A (h)	2/3 present (z)	July 1 (aa)
Washington	★	★	5	20A		2/3 present	90 days after adjournment
West Virginia	★ (f)	★	5	15A (bb)		Majority elected (g)	90 days after enactment
Wisconsin	★	★	6		60P	2/3 elected	Day after publication date
Wyoming	★	★	3	15A (h)		2/3 elected	Immediately
American Samoa	★	. . .	10		30P	2/3 elected	60 days after adjournment (cc)
Guam	★ (i)	★	10		30P	2/3 elected	Immediately (dd)
No. Mariana Islands	★	. . .	40 (h,ee)			2/3 present	Immediately
Puerto Rico	★ (f)	★	10		30P (h)	2/3 elected	Specified in act
U.S. Virgin Islands	★	★	10		30P (h)	2/3 present	Immediately

Sources: State constitutions and statutes.

Note: Some legislatures reconvene after normal session to consider bills vetoed by governor. Connecticut—if governor vetoes any bill, secretary of state must reconvene General Assembly on second Monday after the last day on which governor is either authorized to transmit or has transmitted every bill with his objections, whichever occurs first; General Assembly must adjourn *sine die* not later than three days after its reconvening. Hawaii—legislature may reconvene on 45th day after adjournment *sine die*, in special session, without call. Louisiana—legislature meets in a maximum five-day veto session on the 40th day after final adjournment. Missouri—if governor returns any bill on or after the fifth day before the last day on which legislature may consider bills (in even-numbered years), legislature automatically reconvenes on first Monday in September for a maximum 10C session. New Jersey—legislature meets in special session (without call or petition) to act on bills returned by governor on 45th day after *sine die* adjournment of the first year of a two-year legislature; a special session may not be convened if the 45th day falls on or after the last day of the legislative year in which the second session occurs. Virginia—legislature reconvenes on sixth Wednesday after adjournment for a maximum three-day session (may be extended to seven days upon vote of majority of members elected to each house). Utah—if 2/3 of the members of each house favor reconvening to consider vetoed bills, a maximum five-day session is set by the presiding officers. Washington—upon petition of 2/3 of the members of each house, legislature meets 45 days after adjournment for a maximum five-day session.

Key:

★ — Yes

. . . — No

A — days after adjournment of legislature

P — days after presentation to governor

(a) Sundays excluded, unless otherwise indicated.

(b) Includes language in appropriations bill.

(c) Bill returned to house of origin with governor's objections.

(d) Effective date may be established by the law itself or may be otherwise changed by vote of the legislature. Special or emergency acts are usually effective immediately.

(e) Penal acts, 60 days.

(f) Governor can also reduce amounts in appropriations bills. In Hawaii, governor can reduce items in executive appropriations measures, but cannot reduce nor item veto amounts appropriated for the judicial or legislative branches.

(g) Different number of votes required for revenue and appropriations bills. Alaska—3/4 elected. Illinois—appropriations reductions, majority elected. Oklahoma—emergency bills, 3/4 vote. West Virginia—budget and supplemental appropriations, 2/3 elected.

(h) Sundays included.

(i) A bill presented to the governor that is not returned within 12 days becomes a law; provided that any bill passed before Sept. 1 of the second calendar year of the biennium of the legislative session and in the possession of the governor on or after Sept. 1 that is not returned by the governor on or before Sept. 30 of that year becomes law. The legislature may not present to the governor any bill after Nov. 15 of the second calendar year of the biennium of the session. If the legislature, by adjournment of a special session prevents the return of a bill with the veto message, the bill becomes law unless the governor vetoes within 12 days by depositing it and the veto message in the office of the secretary of state.

(j) For legislation enacted in regular sessions: Jan. 1 next following 90-day period from date of enactment. For legislation enacted in special sessions: 91 days after adjournment. Does not apply to statutes calling elections, statutes providing for tax levies or appropriations for the usual current state expenses or urgency statutes, all of which take effect immediately.

(k) An act takes effect on the date stated in the act, or if no date is stated in the act, then on its passage.

(l) Constitution withholds right to veto constitutional amendments.

(m) Bills vetoed after adjournment are returned to the legislature for reconsideration. Georgia: bills vetoed during last three days of session and not considered for overriding, and all bills vetoed after *sine die* adjournment may be considered at next session. Maine: returned within three days after the next meeting of the same legislature which enacted the bill or resolution. Maryland: reconsidered at the next meeting of the same General Assembly. Mississippi: returned within three days after the beginning of the next session. Missouri: bills returned within four days of adjournment or later in first session are considered at beginning of second session; bills returned in second session are considered in automatic veto session. South Carolina: within two days after the next meeting.

(n) Effective date for bills which become law on or after July 1. Georgia—Jan. 1, unless a specific date has been provided for in legislation. Illinois—a bill passed after June 30 does not become effective prior to July 1 of the next calendar year unless legislature, by a 3/5 vote provided for an earlier effective date. Iowa—if governor signs bill after July 1, bill becomes law on Aug. 15; for special sessions, 90 days after adjournment. South Dakota—91 days after adjournment.

(o) Except Sundays and legal holidays. In Hawaii, except Saturdays, Sundays, holidays and any days in which the legislature is in recess prior to its adjournment. In Oregon, except Saturdays and Sundays.

(p) The governor must notify the legislature 10 days before the 45th day of his intent to veto a measure on that day. The legislature may convene on the 45th day after adjournment to consider the vetoed measures. If the legislature fails to reconvene, the bill does not become law. If the legislature reconvenes, it may pass the measure over the governor's veto or it may amend the law to meet the governor's objections. If the law is amended, the governor must sign the bill within 10 days after it is presented to him in order for it to become law.

(q) No act takes effect until it has been published and circulated in the counties, by authority, except in cases of emergency.

(r) Governor must sign or veto all bills presented to him. Iowa—any bill submitted to the governor for his approval during the last three days of a session must be deposited by him in the secretary of state's office within 30 days after adjournment with his approval or objections. Missouri—otherwise, legislature, by joint resolution, reciting fact of such failure, may direct the secretary of state to enroll the bill as an authentic act and it becomes law.

(s) Bills passed over governor's veto are effective in 30 days or on date specified in bill, whichever is later.

(t) Different date for fiscal legislation. Minnesota, Montana—July 1. Missouri, New Mexico—immediately.

(u) In event of a recess of 30 days or more, legislature may prescribe, by joint resolution, that laws previously passed and not effective shall take effect 90 days from beginning of recess.

(v) No appropriation can be made in excess of the recommendations contained in the governor's budget except by a 3/5 vote. The excess is not subject to veto by the governor.

(w) If a bill is not returned by the governor within 10 days after it is presented to him (excluding Sundays), it becomes law, unless the house of origin is in temporary adjournment. In that case, the bill be-

Table 3.20
LEGISLATIVE APPROPRIATIONS PROCESS: BUDGET DOCUMENTS AND BILLS

State or other jurisdiction	Budget document submission							Budget bill introduction		
	Legal source of deadline		Submission date relative to convening							
	Constitutional	Statutory	Prior to session	Within one week	Within two weeks	Within one month	Over one month	Same time as budget document	Another time	Not until committee review of budget document
Alabama	...	★	...	5th day	...	...	...	★	...	...
Alaska	...	★	...	★	...	...	...	★	...	...
Arizona	...	★	...	★	...	...	...	...	...	★
Arkansas	...	★	(a)	...	...	...	...	...	...	★
California	★	...	...	...	★	...	...	★	...	...
Colorado	...	★	★ (b)	...	...	...	...	...	...	★
Connecticut	...	★	...	...	...	★ (c)	...	★	...	...
Delaware	...	★	...	...	...	by Feb. 1	...	★ (d)	...	...
Florida	...	★	45 days	...	...	...	...	...	...	★ (d)
Georgia	★	...	...	★	...	...	...	★	...	...
Hawaii	...	★	20 days	...	...	...	...	...	★	...
Idaho	...	★	...	★	...	...	...	...	...	★
Illinois	...	★	...	...	...	...	★	...	★	...
Indiana	...	★	7 days (e)	...	...	...	...	★	...	...
Iowa	...	★	...	...	...	★ (a)	...	...	...	★ (d)
Kansas	...	★	...	...	★ (f)	...	...	...	★	...
Kentucky	...	...	...	...	...	...	(g)	★	...	...
Louisiana	...	★	...	1st day	...	★ (a)	...	...	(h)	...
Maine	...	★	...	★ (f)	...	...	...	★	...	...
Maryland	★	...	...	★ (f)	...	...	...	★ (i)	...	...
Massachusetts	...	★	...	...	...	★	...	★ (j)	...	...
Michigan	...	★	...	...	★	...	...	★	...	...
Minnesota	...	★	...	...	...	★ (a)	...	...	...	★
Mississippi	...	★	...	1st day	...	...	...	...	...	★
Missouri	★	...	...	...	...	★	...	★	...	...
Montana	...	★	★	...	...	...	...	...	★	...
Nebraska	...	★	...	...	...	★ (a,f)	...	★ (d)	...	...
Nevada	...	★	...	...	★	...	...	...	...	★
New Hampshire	...	★	...	...	...	...	★	★	...	...
New Jersey	...	★	...	...	...	★ (f)	...	★	...	...
New Mexico	...	★	...	...	...	(k)	...	★	...	...
New York	★	...	...	...	★ (f)	...	...	★ (l)	...	...
North Carolina	...	...	...	(m)	...	...	...	★	...	...
North Dakota	...	★	(n)	...	...	...	...	...	...	★
Ohio	...	★	...	...	...	★ (f)	...	★	...	...
Oklahoma	...	★	...	★	...	...	...	★	...	...
Oregon	...	★	Dec. 1 (f)	...	...	...	...	...	★ (a)	...
Pennsylvania	...	★	...	...	...	...	★ (f,o)	...	...	★
Rhode Island	...	★	...	...	...	...	★	★	...	...
South Carolina	...	★	(a,b)	...	...	...	...	...	...	★
South Dakota	...	★	★	...	...	...	...	...	...	★
Tennessee	...	★	...	...	★ (a,f)	...	...	★	...	...
Texas	...	★	...	★	...	...	...	★	...	...
Utah	...	★	(p)	★	...	...	...	...	...	★
Vermont	...	★	...	...	...	★	...	...	...	★
Virginia	...	★	...	5th day	...	...	...	★	...	...
Washington	...	★	Dec. 20 (c)	...	...	...	...	...	★	...
West Virginia	★	...	...	1st day (f)	...	...	...	★	...	...
Wisconsin	...	★	...	...	...	★ (q)	...	★	...	...
Wyoming	...	★	Dec. 1	...	...	...	...	...	...	★
American Samoa	...	★	1 week	...	...	...	...	...	★	...
Puerto Rico	...	★	...	...	...	★	...	...	...	★
U.S. Virgin Islands	...	★	...	...	...	★ (r)	...	★	...	...

See footnotes at end of table.

LEGISLATIVE APPROPRIATIONS PROCESS—Continued

Source: State constitutions and statutes.

Key:

★ — Yes

. . . — No

(a) Specific time limitations: Arkansas—50 days; Connecticut—odd numbered years, no later than the first session day following the third session day in Feb.; Iowa—No later than Feb. 1; Louisiana—within 15 days; Minnesota—fourth Monday in January during biennial session; Nebraska—by Jan 15; New Hampshire—by Feb. 15; Oregon—Dec. 15; South Carolina—first Tuesday in January; South Dakota—first Tuesday after the first Monday in Dec.;Tennessee—on or before Feb. 1; Vermont—within three weeks.

(b) Copies of agency budgets to be presented to the legislature by November 1. Governor's budget usually is presented in January.

(c) Even numbered years.

(d) Executive budget bill is introduced and used as a working tool for committee. Delaware: after hearings on executive bill, a new bill is then introduced. The committee bill is considered by the legislature.

(e) Budget document submitted prior to session does not necessarily reflect budget message which is given sometime during the first three weeks of session.

(f) Later for first session of a new governor. Kansas—21 days; Maine—By Feb. 1; Maryland—10 days after convening; Nebraska—Feb 1; New Jersey—Feb. 15; New York—Feb. 1; Ohio—March 16; Oregon—Feb. 1; Pennsylvania—first full week in March; Tennessee—March 1; West Virginia—10 days.

(g) No set time.

(h) Subject to 15 day limit.

(i) Appropriations bills other than the budget bill (supplementary) may be introduced at any time. They must provide their own tax source and may not be enacted until the budget bill is enacted.

(j) General appropriations bills only.

(k) Statutes provide for submission by the 25th legislative day; however, the executive budget is usually presented by the first day of the session.

(l) Governor has 30 days to amend or supplement the budget; he may submit any amendments to any bills, or submit supplemental bills.

(m) By custom only. No statutory or constitutional provisions.

(n) For whole legislature. The Legislative Council only receives budget on December 1.

(o) Submitted by governor as soon as possible after General Assembly organizes, but not later than the first full week in February.

(p) Must submit to fiscal analyst 30 days prior to session.

(q) Last Tuesday in January. A later submission date may be requested by the governor.

(r) Organic Act specifies at opening of each regular session; statute specifies on or before May 30.

Table 3.21
FISCAL NOTES: CONTENT AND DISTRIBUTION

	Content						Distribution						
							Legislators						
										Appropriations committee			
State or other jurisdiction	Intent or purpose of bill	Cost involved	Projected future cost	Proposed source of revenue	Fiscal impact on local government	Other	All	Available on request	Bill sponsor	Members	Chairman only	Fiscal staff	Executive budget staff
Alabama	...	★	...	★	★		★ (a)	...	...	...	...	...	...
Alaska	...	★	★	★ (b)	...		★ (c)	...	...	...	...	...	...
Arizona	★	★	★	★	★		★	...	...	...	...	★	★
Arkansas	...	★	★	...	★		★	★	...	...	...	...	...
California	★	★	★	★	★		★	...	...	...	...	★	★
Colorado	★	★	★	★	★		★	...	...	...	...	...	...
Connecticut	...	★	★	...	★		★	...	...	...	...	★	...
Delaware	...	★	★	...	...	★ (d)	...	★	...	★	...	★	★
Florida	...	★	★	★	★	★ (e)	★	...	...	...	...	...	...
Georgia	...	★	★	★	★	★ (e)	★	★	...	...	...	...	...
Hawaii	...	...	...	...	...		★	...	...	...	...	★	★
Idaho	★	★	★	...	★		★	...	...	...	...	...	...
Illinois	...	★	★	★	★		...	★ (f)	★ (f)	...	...	...	...
Indiana	★	★	★	★	★		★	...	...	...	...	★	★
Iowa	...	★	★	★	★		★	...	...	...	...	...	...
Kansas	★	★	★	★	★		...	★	...	...	★ (g)	★	★
Kentucky	★	★	★	★	★		...	★	★	★	...	★	...
Louisiana	...	★	★	...	★		...	★	★	...	...	★ (h)	...
Maine	...	★	★	...	★		★	...	...	...	...	★	...
Maryland	...	★	★	★	★		...	★	★	★ (g)	...	★	...
Massachusetts	...	★ (i)	★	...	...		★	★	...	...	...	★	...
Michigan	★	★	★	★	★	★ (j)	★ (k)	★	...	...	...	★	...
Minnesota	...	★	★	...	...	★ (e)	...	...	★	...	★	★	...
Mississippi	★	★	★	...	★		...	★	...	...	★	...	...
Missouri	...	★	★	★	★		★	...	...	...	...	...	...
Montana	...	★	★	...	...	★ (e)	★	...	...	...	...	...	...
Nebraska	...	★	★	...	...	★ (e)	★	...	...	...	...	★	...
Nevada	★	★	★	★	★		★	...	...	...	...	...	★
New Hampshire	★	★	★	★	★		★	...	...	...	...	★	★
New Jersey	★	★	★	...	★		★	...	...	...	...	...	...
New Mexico	★	★	★	...	(l)	★(m)	...	(n)	...	...	★ (n)	...	...
New York	...	★	★	...	★		...	★	★	★	...	★	...
North Carolina	...	★	★	...	★	★ (e)	★	...	...	...	...	...	...
North Dakota (p)	★	★	★ (o)	★	★		...	★	...	...	★	★	...
Ohio	★	★	★	★	★		★ (q)	★	★	★	...	★	...
Oklahoma	★	★	★	★	...	...	...	...	★	...	...	★	...
Oregon	...	★	★	★	★		★	...	...	...	...	...	...
Pennsylvania	...	★	★	★	★	★ (r)	★	...	...	...	...	★	★
Rhode Island	...	★	★	...	★	★ (s)	...	★	...	...	★	★	★
South Carolina	...	★	★	★	★		...	★	★	...	...	★	★
South Dakota	...	★	★	★	★	★ (r)	...	★	...	...	...	...	...
Tennessee	★	★	★	★	★	★ (t)	★	...	...	...	...	★	★
Texas	...	★	★	★	★		...	★	★	★ (g)	...	...	★
Utah	...	★	★	★	★		★	...	...	...	...	...	...
Vermont	★	★	★	★	...		...	★	...	...	★	...	...
Virginia	★	★	★	★ (u)	...	★	...	★	★	★	...	...	...
Washington	★	★	★	★	★		...	★	...	★	...	★	★
West Virginia	★	★	★	★	★ (v)		★	...	...	...	...	...	...
Wisconsin	...	★	★	★	★		★	...	...	...	...	...	...
Wyoming	...	★	★	★	★		★	...	...	...	...	...	...
Puerto Rico	...	★	...	...	★		★	...	...	...	...	...	...
U.S. Virgin Islands	★	★	...	★	...		★	...	...	...	...	...	...

See footnotes at end of table.

FISCAL NOTES: CONTENT AND DISTRIBUTION—Continued

Source: State statutes and legislative rule books and manuals.

Note: A fiscal note is a summary of the fiscal effects of a bill on government revenues, expenditures and liabilities.

Key:

★ — Yes
. . . — No

(a) Fiscal notes are included in bills for final passage calendar.

(b) Contained in the bill, not in the fiscal note.

(c) Fiscal notes are attached to the bill before it is reported to the Rules Committee. Governor's bills must have fiscal note before introduction.

(d) Relevant data and prior fiscal year cost information.

(e) Mechanical defects in bill.

(f) A summary of the fiscal note is attached to the summary of the relevant bill in the Legislative Synopsis and Digest. Fiscal notes are prepared for the sponsor of the bill and are attached to the bill on file in either the office of the clerk of the House or the secretary of the Senate.

(g) Or to committee to which referred.

(h) Prepared by Legislative Fiscal Office; copies sent to House and Senate staff offices respectively.

(i) Fiscal notes are prepared only if cost exceeds $100,000 or matter has not been acted upon by the Joint Committee on Ways and Means.

(j) Other revelant data.

(k) Analyses prepared by Senate Fiscal Agency, distributed to Senate members only; analyses prepared by House Fiscal Agency, distributed to House members only.

(l) Occasionally.

(m) Impact of revenue bills reviewed by Legislative Council Service and executive agencies.

(n) Legislative Finance Committee staff prepared fiscal notes for Appropriations Committee chairman; other fiscal impact statements prepared by Legislative Council Service and executive agencies are available to anyone upon request.

(o) A two-year projection.

(p) Notes required only if impact is above $5,000.

(q) If a bill comes up for floor consideration.

(r) Bill proposing changes in retirement system of state or local government must have a acturial note.

(s) Technical or mechanical defects may be noted.

(t) Effects of revenue bills.

(u) The Department of Taxation prepares revenue impact notes including the intent and revenue impact.

(v) House of Delegates only.

Table 3.22
EXTRAORDINARY VOTES REQUIRED TO TAKE CERTAIN ACTIONS OR PASS SPECIFIC TYPES OF LEGISLATION — SENATE

State or other jurisdiction	Senate								
	Tax bills	*Constitutional amendments*	*State borrowing*	*Removal of judge*	*Expulsion of member*	*Emergency enactment of legislation*	*Overriding gubernatorial veto*	*Suspend constitutional requirements*	*Other*
Alabama	...	★	...	...	★	...	...	...	...
Alaska	...	★	...	...	★	★	★	...	(a)
Arizona	...	...	...	...	★	★	★	...	...
Arkansas	★ (b)	...	...	...	★	★	...	...	...
California	★	★	...	...	★	★	★	★	...
Colorado	...	★	...	★	★	...	★	...	...
Connecticut	...	★	...	★	★	...	★	...	...
Delaware	★	★	★	...	★	...	★	...	(c)
Florida	...	★	...	★ (d)	★	...	★	...	(e)
Georgia	...	★	...	★	★	...	★	...	...
Hawaii	...	★	...	...	★	...	★	...	(f)
Idaho	...	★	...	...	★	...	★	★	...
Illinois	...	★	★	...	★	★	★	...	...
Indiana	...	...	...	...	★	...	★	★	...
Iowa	...	★	...	...	★	...	★	...	(g)
Kansas	...	★	...	...	★	★	★	...	...
Kentucky	...	★	...	...	★	...	...	...	...
Louisiana	★	★	★	★	★	...	★	...	(h)
Maine	...	★	...	...	★	★	★	...	(i)
Maryland	...	...	...	★	★	...	★	...	(j)
Massachusetts	...	...	★	...	★	★	★	...	...
Michigan	...	★	★	★	★	...	★	...	(k)
Minnesota	...	...	★	...	★	★	★	★	...
Mississippi	★	★	...	...	★	★	★	★	...
Missouri	...	...	...	...	★	★	★	...	...
Montana	...	★	...	...	★	...	★	★	...
Nebraska	...	...	...	...	★	★	...	...	(l)
Nevada	...	...	...	★	★	★	★	★	(m)
New Hampshire	...	★	...	...	...	...	★	★	...
New Jersey	...	★	...	...	★	★	★	...	...
New Mexico	...	...	...	...	★	★	★	...	...
New York	...	...	...	...	...	...	★	...	...
North Carolina	...	★	...	★	★	...	...	...	(n)
North Dakota	...	...	...	...	★	★	★	...	(o)
Ohio	...	...	...	...	★	★	★	★	(p)
Oklahoma	...	...	...	...	★	★	★	...	(q)
Oregon	...	...	...	...	★	...	★	★	(r)
Pennsylvania	...	...	...	★	★	...	★	...	(s)
Rhode Island	...	...	...	...	★	...	...	...	...
South Carolina	...	★	...	...	★	...	★	...	(t)
South Dakota	★	★	★	★	★	★	★	★	...
Tennessee	...	★	...	...	★	...	...	...	...
Texas	...	★	...	...	★	★	★	★	(u)
Utah	...	★	...	...	★	★	★	...	(v)
Vermont	...	★	...	...	...	...	★	...	...
Virginia	...	...	★ (w)	★	★	★	★	...	...
Washington	...	★	...	...	★	...	★	...	...
West Virginia	...	★	...	...	★	...	★	★	...
Wisconsin	...	...	...	★	★	...	★	...	(x)
Wyoming	...	★	...	...	★	...	★	...	(y)
Puerto Rico	...	★	...	...	★	...	★	...	(z)

See footnotes at end of table.

EXTRAORDINARY VOTES REQUIRED — SENATE—Continued

Source: National Conference of State Legislatures.

Key:
★ — Provision
. . . — No provision

(a) Change daily order of business; take up reconsideration of vote on the same day as original measure; amend uniform rules; title change other body's bill; court rule change; adopt effective date other than 90 days; advance bill from 2nd to 3rd reading the same day.

(b) Most taxes, sales tax only takes 51 percent.

(c) Spend "rainy day fund"; exceed 98 percent spending limit.

(d) Impeachment of judge.

(e) Issuance of bonds over $50 million; increase or decrease number of judgeships recommended by Supreme Court; extension of session; authorize interest above 5 percent on certain bonds.

(f) Exceed debt limit; authorize issuance of special purpose revenue bonds.

(g) Confirm gubernatorial appointees; ex post facto compensation bills; convene special sessions; impeachment.

(h) Create judgeship; change a parish; create a parish.

(i) Overturn committee recommendation of confirmation; bond authorization acts; recalling bills from legislative files; items calling for U.S. constitutional conventions; introduction in the 2nd regular session of measures rejected in the 1st regular session.

(j) To force a bill or joint resolution from the Committee on Rules; to repeal or amend any rules; to limit debate; to introduce a Senate resolution or Senate joint resolution during the last 35 calendar days of a regular session; to give a bill two readings on the same day; to introduce a bill during the last 35 days of a regular session; to adjourn the Senate to any other place than that in which it may be sitting.

(k) Appropriations for private or local purposes; immediate effect.

(l) Constitutional amendment proposed on the primary election ballot.

(m) Impeachment proceedings of governor, lt. governor, state or judicial officers.

(n) Determine mental incapacity of governor by joint resolution; convention of people (concurrence to proposition for voter approval); ruling of chair appealed; remove from table (unfavorable report); recall from committee; 3rd reading on same day as 2nd (non roll-call measure); remove from table (defeated measure embodied in another measure); remove from table (postponed indefinitely); remove from table (placed by motion); send to House same day as passed by Senate; convene extra session (both bodies of General Assembly); incorporate city/town (limits: 1 mile--5,000; 3 miles--10,000; 4 miles--25,000; 5 miles--50,000); acceptance and use of properties--State Nature & Historic Preserve.

(o) Amend or repeal initiated or referred measure within seven years after enactment or approval.

(p) To close any proceeding; to allow outside group to use chamber.

(q) To call a special session for an amendment to the constitution.

(r) Revision of constitution.

(s) Some confirmations of governor's nominations.

(t) Enact property tax exemption.

(u) Immediate effect on any bill; impeachment of any officer; confirm nominees of governor.

(v) Change rules governing the limitation of debate; change rules governing the lifting of a tabled bill from committee; change rules governing consideration of bills during the last three days of a session; change rules governing voting.

(w) For certain types pf bonds.

(x) Trial of impeachment; rescind motion to message Assembly.

(y) To introduce nonbudget bills in the budget session.

(z) Removal of judge of the Supreme Court, the comptroller and the ombudsman.

Table 3.23
EXTRAORDINARY VOTES REQUIRED TO TAKE CERTAIN ACTIONS OR PASS SPECIFIC TYPES OF LEGISLATION — HOUSE

	House								
State or other jurisdiction	*Tax bills*	*Constitutional amendments*	*State borrowing*	*Removal of judge*	*Expulsion of member*	*Emergency enactment of legislation*	*Overriding gubernatorial veto*	*Suspend constitutional requirements*	*Other*
Alabama	. . .	★	. . .	. . .	★	. . .	. . .	. . .	(a)
Alaska	. . .	★	. . .	. . .	★	★	★	. . .	(b)
Arizona	. . .	. . .	. . .	. . .	★	★	★	. . .	. . .
Arkansas	★	. . .	. . .	. . .	★	★	. . .	★	. . .
California	★ (c)	★	★	★	★	★	★	★	. . .
Colorado	. . .	★	. . .	. . .	★	. . .	★	. . .	(d)
Connecticut	. . .	★	. . .	★	★	. . .	★	. . .	. . .
Delaware	★	★	★	. . .	★	. . .	★	. . .	(e)
Florida	. . .	★	. . .	★	★	★	★	★	(f)
Georgia	. . .	★	. . .	. . .	★	. . .	★	. . .	(g)
Hawaii	. . .	★	. . .	. . .	★	. . .	★	. . .	(h)
Idaho	. . .	★	. . .	. . .	★	. . .	★	★	. . .
Illinois	. . .	★	★ (i)	. . .	★	. . .	★	. . .	(j)
Indiana	. . .	. . .	. . .	. . .	★	. . .	. . .	★	(k)
Iowa	. . .	★	. . .	. . .	★	. . .	★	. . .	(l)
Kansas	. . .	★	. . .	. . .	★	★	★	. . .	. . .
Kentucky	. . .	★	. . .	. . .	★	. . .	. . .	. . .	. . .
Louisiana	★	★	★	. . .	★	. . .	★	. . .	. . .
Maine	. . .	★	★	. . .	★	★	★	. . .	. . .
Maryland	. . .	. . .	. . .	★	★	. . .	★	. . .	(m)
Massachusetts	. . .	. . .	★	. . .	. . .	★	★	. . .	(n)
Michigan	. . .	★	★	★	★ (o)	. . .	★	. . .	. . .
Minnesota	. . .	. . .	★	. . .	★	★	★	★	. . .
Mississippi	★	★	. . .	. . .	★	. . .	★	. . .	(p)
Missouri	. . .	. . .	. . .	. . .	★	★	★	. . .	. . .
Montana	. . .	★	. . .	. . .	★	. . .	★	. . .	(q)
Nebraska	Unicameral								
Nevada	. . .	. . .	. . .	★	★	★	★	★	. . .
New Hampshire	. . .	★	. . .	. . .	. . .	★	★	. . .	. . .
New Jersey	. . .	. . .	. . .	. . .	★	★	★	. . .	. . .
New Mexico	. . .	★	. . .	★	★	★	★	. . .	. . .
New York	. . .	. . .	. . .	. . .	. . .	. . .	★	. . .	(r)
North Carolina	. . .	★	★	. . .	★	. . .	. . .	★	(s)
North Dakota	. . .	. . .	. . .	. . .	★	★	★	. . .	(t)
Ohio	. . .	. . .	. . .	. . .	★	★	★	. . .	. . .
Oklahoma	. . .	. . .	. . .	. . .	★	★	★	★	. . .
Oregon	. . .	. . .	. . .	. . .	★	. . .	★	★	. . .
Pennsylvania	. . .	. . .	. . .	. . .	★	. . .	★	. . .	(u)
Rhode Island	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .
South Carolina	. . .	★	. . .	. . .	★	. . .	★	. . .	. . .
South Dakota	★	. . .	. . .	. . .	★	★	★	. . .	(v)
Tennessee	. . .	★	. . .	. . .	★	. . .	. . .	. . .	. . .
Texas	. . .	★	. . .	★	★	★	★	★	. . .
Utah	. . .	★	. . .	. . .	★	★	★	. . .	. . .
Vermont	. . .	★	. . .	. . .	. . .	. . .	★	. . .	. . .
Virginia	. . .	. . .	★ (w)	. . .	★	★	★	★	(x)
Washington	. . .	★	★	. . .	★	. . .	★	. . .	. . .
West Virginia	. . .	★	. . .	. . .	★	. . .	★ (y)	. . .	. . .
Wisconsin	. . .	. . .	. . .	★	★	. . .	★	. . .	. . .
Wyoming	. . .	★	. . .	. . .	★	. . .	★	. . .	(z)
American Samoa	. . .	. . .	. . .	. . .	★	. . .	★	. . .	(aa)

See footnotes at end of table.

EXTRAORDINARY VOTES REQUIRED — HOUSE—Continued

Source: National Conference of State Legislatures.

Key:

★ — Provision

. . . — No provision

(a) Bills appropriating state funds to private schools and nonstate agencies.

(b) Change daily order of business; take up reconsideration of a vote on the same day as original passage; amend uniform rules; adopt an effective date other than 90 days; court rule change; advance bill from 2nd to 3rd reading the same day.

(c) If increasing taxes.

(d) Change in number of district judges.

(e) To appropriate public money to any county, municipality or corporation; to issue or loan bonds of the state to any county, municipality or corporation; to pledge the credit of the state by guaranteeing or endorsing the bonds or other undertakings of any county, municipality or corporation; to lay out,open, alter or maintain roads and highways which form continuous roads or highways through at least a portion of the three counties; to create courts other than constitutional courts; to grant jurisdiction over additional misdemeanors to inferior courts; to initiate impeachment proceedings; to enact or amend the general corporation law; to enact any special act of incorporation; to appropriate for any fiscal year funds in excess of 98 percent of the estimated state general fund revenue for that fiscal year; to impose or levy any new license fees.

(f) Impeach an officer (governor, lt. governor, cabinet, Supreme Court).

(g) Local acts affecting revenue or expenditures.

(h) Convene a special session; extension of session.

(i) To incur state debt without a referendum.

(j) Close session or committee meeting to the public; deny or limit home rule power or limit home rule debt.

(k) Amend on 3rd reading.

(l) Private act.

(m) Extension of session; introduce a bill during last 35 days; give a bill two readings on the same day; force a bill from the Rules Committee.

(n) Legislation recommended by the governor which applies to a single city or town.

(o) If breach of public trust, only takes a majority of those elected and serving.

(p) Restore suffrage; granting gratuity or donation.

(q) Remove a call of the House.

(r) Adoption of emergency funds affecting certain local governments; bills appropriating state funds to particular local governments.

(s) Rules of chair appealed; consideration of defeated bill; two readings on same day; recall from committee.

(t) Amend or repeal initiated or referred measure within seven years after enactment or approval.

(u) Non-preferred appropriation bills.

(v) Special appropriation of money expenditure.

(w) For certain types of bonds.

(x) Property tax exemption.

(y) Appropriation bills.

(z) To introduce nonbudget bills in the budget session.

(aa) Lands and titles.

Table 3.24
BILL AND RESOLUTION INTRODUCTIONS AND ENACTMENTS: 1990 AND 1991 REGULAR SESSIONS

State or other jurisdiction	Duration of session*	Introductions		Enactments		Measures vetoed by governor	Length of session
		Bills	Resolutions	Bills	Resolutions		
Alabama	Jan. 9-April 23, 1990	1,677	941	772	899	11 (a)	105C
	April 16-July 29, 1991	1,744	636	732	568	14 (a)	105C
Alaska	Jan. 8-May 9, 1990	459	139	215	22	4	122C
	Jan. 21-May 22, 1991	669	163	106	57	10	122C
Arizona	Jan. 8-June 28, 1990	1,251	75	412	15	5	172C
	Jan. 14-June 22, 1991	979	51	322	25	12	160C
Arkansas	No regular session in 1990						
	Jan. 14-April 15, 1991	1,865	263	1,246	187	26	73C
California	Jan. 3-Sept. 1, 1990	3,023	211	1,707	173	436	136L
	Dec. 3, 1990-Sept. 23, 1991	3,521	215	1,217	100	259	138L
Colorado	Jan. 10-May 8, 1990	547	105	328	70	11	120C
	Jan. 9-May 8, 1991	524	104	338	79	9	120C
Connecticut	Feb. 7-May 9, 1990	1,646	163	372	140	2	92C
	Jan. 9-June 5, 1991	3,353	258	454	207	20 (a)	148C
Delaware	Jan. 9-June 30, 1990	522	366	300	12	13	53L
	Jan. 8-June 30, 1991	643	285	190	18	10	54L
Florida	April 3-June 2, 1990	3,294	219	503	186	18	61C
	March 5-May 2, 1991	2,338	177	414	163	18	59C
Georgia	Jan. 8-March 9, 1990	2,133	1,113	769	852	18	40L
	Jan. 14-March 15, 1991	1,556	979	608	842	14	40L
Hawaii	Jan. 17-May 4, 1990	2,884	1,287	349	549	31	63L
	Jan. 16-May 6, 1991	4,379	1,255	335	455	31	64L
Idaho	Jan. 8-March 30, 1990	806	84	443	35	3	82C
	Jan. 7-March 29, 1991	687	85	348	46	10	82C
Illinois	Jan. 10-June 30, 1990 (b)	2,203	2,433	481	2,308	22 (a)	70L
	Jan. 8-July 19, 1991 (b)	4,183	2,360	828	2,245	179 (a)	108L
Indiana	Nov. 21, 1989-Mar. 13, 1990	1,025	10	185	0	3	30L
	Nov. 20, 1990-April 30, 1991	1,722	17	239	0	3	61L
Iowa	Jan. 8-April 8, 1990	1,347	9	282	3	34	91C
	Jan. 14-May 12, 1991	1,380	19	272	3	7	119C
Kansas	Jan. 8-June 1, 1990	941 (c)	58 (c)	368	13	(d)	102C
	Jan. 14-May 28, 1991	1,114	58	298	16	10 (a,e)	103C
Kentucky	Jan. 2-April 13, 1990	1,350	521	470	50	23 (a)	60L
	No regular session in 1991						
Louisiana	April 16-July 9, 1990	3,294	539	1,106	413	40	85C
	April 15-July 8, 1991	3,138	641	1,073	527	52 (a)	85C
Maine	Jan. 3-April 14, 1990	697	24	432	19	7	50L
	Dec. 5, 1990-July 10, 1991	1,975	38	734	37	8	72L
Maryland	Jan. 10-April 9, 1990	2,466	89	712	9	97	90C
	Jan. 9-April 8, 1991	2,179	44	776	5	105	90C
Massachusetts	Jan. 3, 1990-Jan. 1, 1991	6,403	5	529	5	5	364C
	Jan. 2-Dec. 31, 1991	6,484	4	558	4	4 (a)	364C
Michigan	Jan. 10-Dec. 27, 1990	1,360	25	360	0	3	352C
	Jan. 9-Dec. 30, 1991	2,094	37	201	0	2	356C
Minnesota	Feb. 12-April 25, 1990	1,747	0	256	0	(f)	38L
	Jan. 8-May 20, 1991	3,319	0	356	0	(f)	58L
Mississippi	Jan. 2-April 14, 1990	3,045	567	594	227	9	77L
	Jan. 8-May 6, 1991	2,921	471	610	271	2 (a)	81L
Missouri	Jan. 3-May 30, 1990	1,341	51	199	3	13	148C
	Jan. 9-May 30, 1991	1,287	40	153	6	16	142C
Montana	No regular session in 1990						
	Jan. 7-April 29, 1991	1,486	108	824	82	19	90L
Nebraska	Jan. 3-April 9, 1990	430	11	198	2	37 (a)	60L
	Jan. 9-June 5, 1991	857	17	276	1	10 (a)	90L

See footnotes at end of table.

BILL AND RESOLUTION INTRODUCTIONS AND ENACTMENTS—Continued

State or other jurisdiction	*Duration of session**	*Introductions*		*Enactments*		*Measures vetoed by governor*	*Length of session*
		Bills	*Resolutions*	*Bills*	*Resolutions*		
Nevada	No regular session in 1990						
	Jan. 21-June 30, 1991	1,493	267	729	204	7	115L
New Hampshire	Jan. 3-May 3, 1990	561	49	281	33	2	23L
	Jan. 2-June 27, 1991	939	78	389	53	3	31L
New Jersey	Jan. 9, 1990-Jan. 8, 1991	7,468	690	134	79	45	51L
	Jan. 8, 1991-Jan 14, 1992	1,671	238	528	69	41	65L
New Mexico	Jan. 16-Feb. 15, 1990	1,032	46	143	7	10	30C
	Jan. 15-March 16, 1991	1,579	34	341	1	77	60C
New York	Jan. 3, 1990-Jan. 8, 1991	21,435	3,904	930	3,757	23	(g)
	Jan. 9, 1991-Jan. 8, 1992	15,506	3,656	750	3,561	27	(g)
North Carolina	May 21-July 28, 1990	611	59	280	42	0	(g)
	Jan. 30-July 16, 1991	2,003	277	761	30	0	(g)
North Dakota	No regular session in 1990						
	Jan. 7-April 11, 1991	1,210	151	721	127	13 (a)	67L
Ohio	Jan. 2, 1990-(h)	350	43	204	28	5	(g)
	Jan. 7, 1991-(h)	875	102	107	20	1	(g)
Oklahoma	Feb. 5-May 25, 1990	1,159	47	342	7	29 (a)	67L
	Jan. 8-May 31, 1991	1,342	76	344	14	9 (a)	70L
Oregon	No regular session in 1990						
	Jan. 14-June 30, 1991	2,959	111	967	24	12	168C
Pennsylvania	Jan. 2-Nov. 21, 1990	1,225	228	223	168	13	(g)
	Jan. 1, 1991-Jan. 7, 1992	3,791	360	53	231	3	(g)
Rhode Island	Jan. 2-July 7, 1990	4,285 (i)	(i)	522	564	35	85L
	Jan. 1-June 12, 1991	3,646 (i)	(i)	429	488	60	(g)
South Carolina	Jan. 9-June 19, 1990	1,823	541	441	485	23 (a)	(g)
	Jan. 8-June 6, 1991	2,099	444	244	352	16 (a)	(g)
South Dakota	Jan. 9-March 12, 1990	730	7	414	4	2	35L
	Jan. 8-March 19, 1991	685	4	417	0	8	40L
Tennessee	Jan. 9-April 12, 1990	2,298	866	605	788	1	(g)
	Jan. 8-May 30, 1991	3,286	971	661	858	0	(g)
Texas	No regular session in 1990						
	Jan. 8-May 27, 1991	4,684	2,424	971	2,201	36	140C
Utah	Jan. 8-Feb. 21, 1990	755	135	328	83	3	45C
	Jan. 14-Feb. 27, 1991	691	117	295	89	9 (a)	45C
Vermont	Jan. 3-May 16, 1990	501	102	188	81	1 (a)	83L
	Jan. 9-May 19, 1991	856	119	128	91	2	74L
Virginia	Jan. 10-March 10, 1990	1,637	525	971	414	9	60C
	Jan. 9-Feb. 23, 1991	1,300 (j)	472 (j)	742	403	21	45C
Washington	Jan. 8-March 8, 1990	1,904	63	152	32	3 (k)	60L
	Jan. 14-April 28, 1991	984	125	146	82	7 (k)	105L
West Virginia	Jan. 10-March 14, 1990	1,717	209	200	70	3	64C
	Jan. 9-March 17, 1991	1,624	198	179	67	2	68C
Wisconsin	Jan. 3, 1989-Jan. 7, 1991	1,557	289	361	147	35	(g)
	Jan. 7, 1991-(still active)	1,247 (l)	190 (l)	107 (l)	77 (l)	10 (l)	(g)
Wyoming	Feb. 19-March 17, 1990	382	22	125	2	6	21L
	Jan. 8-Feb. 28, 1991	696	49	265	10	6 (a)	38L
Guam	Jan. 2-Dec. 30, 1990	487	199	233	75	13 (a)	40L
	Jan. 7-Dec. 27, 1991	632	227	72	171	16 (a)	18L
No. Mariana Islands	(m)	198	49	23	34	3	(g)
	(m)	52	41	12	28	1	(g)

BILL AND RESOLUTION INTRODUCTIONS AND ENACTMENTS—Continued

Source: The Council of State Governments' legislative survey, March 1992.

* Actual adjournment dates are listed regardless of constitutional or statutory limitations. For more information on provisions, see Table 3.2, "Legislative Sessions: Legal Provisions."

Key:

C — Calendar day

L — Legislative day (in some states, called a session or workday; definition may vary slightly; however, it generally refers to any day on which either chamber of the legislature is in session).

(a) Number of vetoes overriden: Alabama: 1990-2, 1991-5; Connecticut: 1991-4; Illinois: 1990-12, 1991-51; Kansas: 1991-4 line items in appropriation bills; Kentucky: 1990-14; Louisiana: 1991-1; Massachusetts: 1991-4; Mississippi: 1991-1; Nebraska: 1990-21, 1991-1; North Dakota: 1991-1; Oklahoma: 1990-8, 1991-2; South Carolina: 1990-17, 1991-13; Utah: 1991-1; Vermont: 1990-1; Wyoming: 1991-1; Guam: 1990-3, 1991-2 item vetoes.

(b) Veto sessions: November 30, 1990 and November 8, 1991.

(c) Plus 636 bills and 30 resolutions carried over from 1989.

(d) Three line items in appropriation bills.

(e) Plus 12 line items in appropriation bills.

(f) 1990: one bill and four line items in appropriation bills; 1991: four bills and 66 line items in appropriation bills.

(g) Length of session: New York: 1990-Senate 230C and Assembly 236C, 1991-Senate 245C and Assembly 221C; North Carolina: 1990-Senate 42L and House 46L, 1991-Senate 99L and House 106L; Ohio: 1990-Senate 117L and House 99L, 1991-Senate, 123L and House 101L; Pennsylvania: 1990-Senate 60L and House 61L, 1991-Senate 77L and House 87L; Rhode Island: 1991-Senate 74L and House 73L; South Carolina: 1990-Senate 92L and House 88L plus 2C organization session, 1991-Senate 65L and House 68L; Tennessee: 1990-Senate 37L and House 39L, 1991-4C organization session, Senate 55L and House 53L; Wisconsin: 1990-Senate 67L and Assembly 70L, 1991-Senate 58L and Assembly 56L (information through December 21, 1991; session still active as of April 14, 1992); No. Mariana Islands: 1990-Senate 12L (House-N.A.), 1991-Senate 18L and House 13L.

(h) Adjournment dates: 1990 session: Senate-Dec. 26, 1990, House-Dec. 31, 1990; 1991 session: Senate-Dec. 30, 1991, House-Dec. 27, 1991.

(i) 1990: 4,285 bill and resolution introductions; 1991: 3,646 bill and resolution introductions.

(j) Plus 292 bills and 25 resolutions carried over from 1990.

(k) Plus 14 partial vetoes in 1990 and 16 partial vetoes in 1991.

(l) Data as of Dec. 21, 1991.

(m) Dates of sessions: 1990: Senate-Jan. 11-Mar. 14 and Aug. 23-Dec. 19; House-Jan. 8-30, March 6-29 and August 17-Dec. 13. 1991: Senate-Jan. 3-March 15 and July 10-Jan. 11, 1992; House-Jan. 5-Feb. 8 and Aug. 29-Dec. 17.

Table 3.25
BILL AND RESOLUTION INTRODUCTIONS AND ENACTMENTS: 1990 AND 1991 SPECIAL SESSIONS

State or other jurisdiction	*Duration of session**	*Introductions*		*Enactments*		*Measures vetoed by governor*	*Length of session*
		Bills	*Resolutions*	*Bills*	*Resolutions*		
Alabama	No special session in 1990						
	Sept. 9-24, 1991	146	119	29	104	5	7L
Alaska	June 25-July 8, 1990	9	1	1	0	0	14C
	No special session in 1991						
Arizona	Jan. 10-June 28, 1990	45	3	9	0	2	172C
	May 14, 1990	3	3	1	0	0	1C
	Nov. 19, 1990	2	1	1	0	0	1C
	Jan. 31-Feb. 2, 1991	4	1	3	1	0	3C
	Sept. 17, 1991	2	0	1	0	0	1C
	Nov. 1-7, 1991	42	15	4	0	0	7C
	Dec. 2-16, 1991	13	1	7	0	0	15C
Arkansas	No special sessions in 1990/1991						
California	Nov. 2, 1989-Sept. 1, 1990	104	5	37	1	0	44L
	Dec. 3, 1990-(still active)	36 (a)	4 (a)	7 (a)	2 (a)	0 (a)	67L (a)
Colorado	No special session in 1990						
	June 4-9, 1991	12	5	2	4	0	(b)
	Sept. 10-Nov. 8, 1991	63	12	27	11	4	(b)
Connecticut (c)	June 25, 1990	2	21	2	21	0	1C
	June 5-Sept. 19, 1991	33	11	21	11	2	107C
	June 12, 1991	1	5	1	5	0	1C
	June 26-27, 1991	1	6	1	6	0	2C
	Nov. 18-Dec. 17, 1991	20	6	5	6	1	30C
Delaware	July 17, 1990	1	0	1	0	0	1L
	Oct. 24, 1991	1	0	1	0	0	1L
Florida	Nov. 20, 1990	7	2	1	2	0	1C
	Jan. 22, 1991	10	6	5	6	0	1C
	June 6, 1991	11	6	3	6	0	1C
	Dec. 10-13, 1991	40	0	14	0	0	4C
Georgia	No special session in 1990						
	Aug. 19-Sept. 4, 1991	47	125	31	125	0	11L
Hawaii	No special session in 1990						
	June 24-28, 1991	1	0	1	0	0	5L
Idaho	No special sessions in 1990/1991						
Illinois	No special session in 1990						
	Feb. 13-July 18, 1991	8	23	0	21	0	86L
Indiana	No special session in 1990						
	May 13-23, 1991	4	0	0	0	0	6L
	May 23-June 14, 1991	10	0	1	0	0	11L
Iowa	No special sessions in 1990/1991						
Kansas	No special sessions in 1990/1991						
Kentucky	No special session in 1990						
	Jan. 14-Feb. 22, 1991	35	226	12	220	0	28L
	Dec. 12-18, 1991	6	35	5	0	0	5L
Louisiana	No special session in 1990						
	April 1-8, 1991	12	24	7	20	0	8C
	April 8-14, 1991	16	9	2	6	0	7C
	July 28-Aug. 4, 1991	30	47	10	37	0	8C
Maine	No special session in 1990						
	July 11-17, 1991	37	0	34	0	0	7L
	Dec. 18, 1991-Jan. 7, 1992	6	0	6	0	0	5L
Maryland	No special session in 1990						
	June 26, 1991	9	0	2	0	0	1C
	Sept. 25-Oct. 22, 1991	57	1	4	0	0	28C
Massachusetts	No special sessions in 1990/1991						
Michigan	No special sessions in 1990/1991						
Minnesota	No special sessions in 1990/1991						

See footnotes at end of table.

BILL AND RESOLUTION INTRODUCTIONS AND ENACTMENTS—Continued

State or other jurisdiction	*Duration of session**	*Introductions*		*Enactments*		*Measures vetoed by governor*	*Length of session*
		Bills	*Resolutions*	*Bills*	*Resolutions*		
Mississippi	June 18-30, 1990	89	85	27	47	0	13L
	Dec. 18-20, 1991	38	9	21	9	1	3L
Missouri	No special sessions in 1990/1991						
Montana	May 21-25, 1990	14	5	4	5	0	5L
	No special session in 1991						
Nebraska	Nov. 8-17, 1990	9	0	4	0	0	7L
	July 8-19, 1991	6	9	1	0	0	10L
Nevada	No special sessions in 1990/1991						
New Hampshire	No special session in 1990						
	Nov. 12, 1991	1	0	1	0	0	1L
New Jersey	No special sessions in 1990/1991						
New Mexico	March 16-20, 1990	21	0	10	0	1	5C
	Sept. 10-19, 1991	46	0	6	0	0	10C
New York	No special session in 1990						
	Dec. 17, 1991 (Senate only)	4	0	0	0	0	1C
North Carolina	March 6, 1990	2	0	1	0	0	1L
	Dec. 30, 1991-Jan. 24, 1992	23	4	8	3	0	6L
North Dakota	No special session in 1990						
	Nov. 4-8, 1991	8	2	7	2	0	5L
Ohio	No special sessions in 1990/1991						
Oklahoma	Aug. 14, 1989-May 2, 1990	27	3	9	0	0	(b)
	Jan. 14-18, 1991	2	0	2	0	0	5L
Oregon	May 7, 1990	2	1	2	1	0	1C
	No special session in 1991						
Pennsylvania	No special sessions in 1990/1991						
Rhode Island	No special sessions in 1990/1991						
South Carolina	No special session in 1990						
	Sept. 23, 1991	13	0	10	0	3 (d)	1C
South Dakota	No special session in 1990						
	Oct. 3, 1991	6	0	2	0	0	1L
	Nov. 26, 1991	2	0	2	0	0	1L
Tennessee	No special sessions in 1990/1991						
Texas	Feb. 27-March 28, 1990	251	321	0	288	0	30C
	April 2-30, 1990	281	440	4	388	1	29C
	May 2-30, 1990	233	368	6	340	2	29C
	June 4-7, 1990	163	180	35	173	1	4C
	July 15-Aug. 13, 1991	393	659	22	616	0	30C
	Aug. 19-25, 1991	203	208	13	189	0	7C
Utah	No special session in 1990						
	April 17-18, 1991	11	3	7	2	0	2C
	Oct. 28-31, 1991	12	1	8	1	0	4C
Vermont	No special sessions in 1990/1991						
Virginia	April 18, 1990	2	9	1	9	0	1C
	April 1-Nov. 18, 1991	26	67	20	66	1	12L
	Nov. 18, 1991-Jan. 8, 1992	9	11	6	11	0	5L
Washington	March 9-April 1, 1990	7	27	7	25	(d)	30L
	June 5, 1990	2	1	2	1	0	1L
	June 10-30, 1991	25	12	11	11	(d)	21L
West Virginia	March 14-15, 1990	4	10	2	10	0	2C
	June 22-27, 1990	32	13	12	13	0	6C
	August 22-31, 1990	25	13	10	13	0	10C
	March 17, 1991	2	5	2	5	0	1C
	Sept. 30-Oct. 18, 1991	52	20	22	16	0	19C
	Dec. 6-9, 1991	4	7	3	7	0	4C

See footnotes at end of table.

BILL AND RESOLUTION INTRODUCTIONS AND ENACTMENTS—Continued

State or other jurisdiction	*Duration of session**	*Introductions*		*Enactments*		*Measures vetoed by governor*	*Length of session*
		Bills	*Resolutions*	*Bills*	*Resolutions*		
Wisconsin	Oct. 10, 1989-March 22, 1990	52	6	7	5	0	(b)
	May 15, 1990	7	1	0	1	0	1L
	Jan. 31-June 4, 1991	16	1	2	1	0	(b)
	Oct. 15, 1991-(still active)	6 (e)	1 (e)	0 (e)	1 (e)	0 (e)	(b)
Wyoming	No special sessions in 1990/1991						
Guam	No special sessions in 1990/1991						
No. Mariana Islands	(f)	66	18	9	15	0	(b)
	(f)	42	21	8	20	0	(b)

Source: The Council of State Governments' legislative survey, March 1992.

* Actual adjournment dates are listed regardless of constitutional or statutory limitations. For more information on provisions, see Table 3.2, "Legislative Sessions: Legal Provisions."

Key:

C — Calendar day

L — Legislative day (in some states, called a session or workday; definition may vary slightly; however, it generally refers to any day on which either chamber of the legislature is in session).

(a) Information through December 31, 1991; session still active as of April 14, 1992.

(b) Length of session: Colorado: both sessions in 1991 - 35L; Oklahoma: 1990 - Senate 53L and House 46L; Wisconsin: 1990: Senate 52L and Assembly 50L, first session in 1991: Senate 45L and Assembly 48L, second session in 1991: Senate 8L and Assembly 7L (information through December 21, 1991; session still active as of April 14, 1992); No. Mariana Islands: 1990: Senate 7L and House 6L, 1991: Senate 7L and House 11L.

(c) A special session was also held on Sept. 11-15, 1991 (for 5C) dealing with reapportionment. No bills or resolutions were introduced.

(d) Number of vetoes overridden: South Carolina: 1991 - 1; Washington: 1990: 2 partial vetoes, 1991: 2 partial vetoes.

(e) Information through December 21, 1991; session still active as of April 14, 1992.

(f) Dates of session: 1990: Senate - April 4-June 27 and House - April 18-September 23; 1991: Senate: April 3-June 14 and House - April 3-July 19.

Table 3.26
STAFF FOR INDIVIDUAL LEGISLATORS

State or other jurisdiction	Senate			House		
	Capitol			Capitol		
	Personal	Shared	District	Personal	Shared	District
Alabama	YR	YR/2	. . .	. . .	YR/10	. . .
Alaska	YR	. . .	. . .	YR	. . .	. . .
Arizona	. . .	. . .	. . .	. . .	. . .	. . .
Arkansas	. . .	YR	. . .	. . .	YR	. . .
California	YR	YR/3 (a)	YR	YR	YR/3.5 (a)	YR
Colorado	. . .	. . .	. . .	. . .	. . .	. . .
Connecticut	YR	YR/.5 (b)	. . .	. . .	YR/3 (b)	. . .
Delaware	SO	YR/2	. . .	SO	YR/2	. . .
Florida	YR (c)	. . .	(c)	YR (c)	. . .	(c)
Georgia	. . .	YR/3 (a)	. . .	. . .	YR/5 (a)	. . .
Hawaii	YR	. . .	. . .	YR	. . .	. . .
Idaho	. . .	SO/3	. . .	. . .	SO/23	. . .
Illinois	YR	YR/2 (d)	YR (e)	YR	YR/1 (d)	YR (e)
Indiana	. . .	YR/3	. . .	. . .	YR/3	. . .
Iowa	SO	. . .	. . .	SO	. . .	. . .
Kansas	SO (a)	. . .	. . .	. . .	SO/3 (a)	. . .
Kentucky	. . .	YR/12	. . .	. . .	YR/12	. . .
Louisiana	. . .	. . .	YR	. . .	YR	YR
Maine	. . .	SO/15 (a)	. . .	. . .	SO/45 (a)	. . .
Maryland	YR	. . .	. . .	SO	SO/3	(e)
Massachusetts	YR	. . .	. . .	YR	. . .	. . .
Michigan	YR	. . .	. . .	YR	. . .	. . .
Minnesota	YR	. . .	. . .	. . .	(f)	. . .
Mississippi	. . .	YR	. . .	. . .	YR	. . .
Missouri	YR	. . .	YR	YR	IO/1	. . .
Montana	. . .	SO/10	. . .	. . .	SO/15	. . .
Nebraska	YR	. . .	. . .	Unicameral		
Nevada	SO	YR	. . .	SO	YR	. . .
New Hampshire	. . .	SO	. . .	. . .	YR	. . .
New Jersey	YR (c)	. . .	(c)	YR (c)	. . .	(c)
New Mexico	SO	SO/3	. . .	SO	SO/7	. . .
New York	YR	. . .	YR	YR	YR	YR
North Carolina	SO (a)	YR	. . .	SO (a)	YR	. . .
North Dakota	. . .	SO/13 (a)	. . .	. . .	SO/17 (a)	. . .
Ohio	YR	YR	(g)	YR	YR	(g)
Oklahoma	SO (a,h)	IO	. . .	SO (a,h)	IO/7	. . .
Oregon	YR	. . .	. . .	YR	. . .	. . .
Pennsylvania	YR	. . .	YR	YR	YR	YR
Rhode Island	. . .	YR/8	. . .	. . .	YR/7	. . .
South Carolina	YR	YR/(i)	. . .	SO	SO/1	. . .
South Dakota	. . .	. . .	. . .	. . .	. . .	. . .
Tennessee	YR	. . .	. . .	YR	. . .	. . .
Texas	YR	. . .	YR	YR	. . .	YR
Utah	(j)	YR/1	. . .	(j)	YR/1	. . .
Vermont	. . .	YR/15 (a)	. . .	. . .	YR/90 (a)	. . .
Virginia	YR (c)	SO/2	(c)	YR (c)	SO/2	(c)
Washington	YR (k)	. . .	(l)	YR	. . .	(l)
West Virginia	SO	. . .	. . .	. . .	SO/20	. . .
Wisconsin	YR (m)	. . .	(m)	YR	. . .	. . .
Wyoming	. . .	. . .	. . .	. . .	. . .	. . .
Guam	YR	. . .	. . .	Unicameral		
No. Mariana Islands	YR (n)	(n)	. . .	YR (n)	(n)	. . .

Source: The Council of State Governments' legislative survey, March 1992.

Note: For entries under column heading "Shared," figures after slash indicate approximate number of legislators per staff person, where available.

Key:

. . . — Staff not provided for individual legislators.
YR — Year-round
SO — Session only
IO — Interim only

(a) Secretarial staff.

(b) Each senator is provided with one constituent case worker; all Senate and House members receive support from a centralized caucus staff.

(c) Personal and district staff are the same.

(d) Majority and minority offices provide staff year-round.

(e) District office expenses allocated per year from which staff may be hired.

(f) During session only: 2; during interim only: 4.

(g) Some legislators have established district offices at their own expense.

(h) Majority and minority leadership have a year-round secretarial staff.

(i) One secretary per two senators for 32 of the members; one secretary per one senator for 14 of the members.

(j) Only leadership is provided personal staff during session.

(k) Leadership, caucus chair, and Ways and Means Cmte. chair have two full-time staff each. All other legislators have one full-time staff year-round and one additional staff session only.

(l) Full-time staff may move to the district office during interim period.

(m) Some of personal staff may work in the district office. Total of all staff salaries for each senator must be within limits established by the Senate.

(n) Individual staffing and staff pool arrangements are at the discretion of the individual legislator.

Table 3.27
STAFF FOR LEGISLATIVE STANDING COMMITTEES

State or other jurisdiction	*Committee staff assistance*				*Source of staff services**							
	Senate		*House*		*Joint central agency* (a)		*Chamber agency* (b)		*Caucus or leadership*		*Committee or committee chairman*	
	Prof.	*Cler.*	*Prof.*	*Cler.*	*Prof.*	*Cler.*	*Prof.*	*Cler.*	*Prof.*	*Cler.*	*Prof.*	*Cler.*
Alabama	. . .	★	. . .	★	B	. . .	. . .	B	. . .	. . .	. . .	. . .
Alaska	★	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Arizona	. . .	. . .	★	★	B	S	. . .	. . .	. . .	. . .	. . .	. . .
Arkansas	★	★	★	★	B	B	. . .	. . .	. . .	. . .	. . .	. . .
California	★	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Colorado	★	. . .	★	. . .	B	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Connecticut	★ (c)	★ (c)	★ (c)	(c)	B (c)	. . .	. . .	. . .	. . .	B (c)	. . .	. . .
Delaware	•	★	•	★	B	. . .	B	. . .	. . .	B	B	B
Florida	★	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Georgia	. . .	★ (d)	. . .	★ (d)	B	. . .	B	. . .	. . .	. . .	. . .	. . .
Hawaii	•	★	★	★	B	B	B	B	B	B	B	B
Idaho	★	★	★	★	B	B	. . .	. . .	. . .	. . .	B	B
Illinois	★	★	★	★	. . .	. . .	B	B	B	B	. . .	. . .
Indiana	★	•	★	(e)	B	. . .	. . .	S	. . .	S	. . .	. . .
Iowa	★	. . .	★	. . .	B	. . .	. . .	B (f)	B	. . .	. . .	B (f)
Kansas	★	★	★	★	B	B	. . .	. . .	. . .	. . .	. . .	B
Kentucky	★	★	★	★	B	B	. . .	. . .	. . .	. . .	. . .	. . .
Louisiana	★	★	★	★	. . .	. . .	S	S	S	S	S	S
Maine	★ (c)	★ (c,g)	★ (c)	(c,g)	B	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Maryland	★ (h)	★ (h)	★ (h)	★ (h)	B		. . .	. . .	. . .	. . .	. . .	. . .
Massachusetts	★	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Michigan	★	★	★	★	. . .	. . .	. . .	H	B	. . .	B	B
Minnesota	★	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .	B	B
Mississippi	•		•	★	. . .	. . .	B	B	. . .	. . .	B	B
Missouri	★	★	★	. . .	B	. . .	B	B	. . .	. . .	. . .	B
Montana	★	★	★	★	B	. . .	. . .	B	. . .	. . .	. . .	. . .
Nebraska	★	★	-----Unicameral-----		. . .	. . .	. . .	. . .	. . .	. . .	U	U
Nevada	★	★	★	★	B	. . .	. . .	B	. . .	. . .	. . .	. . .
New Hampshire	•	★	★	★	B	. . .	. . .	. . .	B	. . .	. . .	. . .
New Jersey	★	★	★	★	B	B	. . .	. . .	. . .	. . .	. . .	. . .
New Mexico	★	★	★	★	. . .	. . .	. . .	. . .	B	B	B	. . .
New York	★	★	★	★	B	B	B	B	B	B	B	B
North Carolina	★	★ (i)	★	★ (i)	B	. . .	. . .	. . .	. . .	. . .	. . .	★ (i)
North Dakota	(j)	★	(j)	★	B	. . .	. . .	B	. . .	. . .	. . .	. . .
Ohio	★	★	★	★	B	. . .	. . .	. . .	B	B	B	B
Oklahoma	•	★	★	•	. . .	. . .	B	B	. . .	. . .	. . .	H
Oregon	★	★	★	★	B	B	. . .	. . .	. . .	. . .	B	B
Pennsylvania	★	★	★	★	. . .	. . .	. . .	. . .	B	B	B	B
Rhode Island	★	★	★	★	B	B	B	B	B	B	B	B
South Carolina	★	★	★	★	. . .	. . .	B	B	H	H	B	B
South Dakota	★	★	★	★	B	. . .	. . .	. . .	. . .	B	. . .	. . .
Tennessee	★	★	★	★	B	. . .	. . .	B (k)	. . .	. . .	S	B
Texas	★	★	★	★	B	. . .	. . .	B	. . .	. . .	B	B
Utah	★	★	★	★	B	. . .	. . .	B	. . .	. . .	. . .	. . .
Vermont	★	★	★	★	B	B	. . .	. . .	. . .	. . .	B	B
Virginia	★	★	★	★	B	. . .	B	B	. . .	. . .	. . .	(l)
Washington	★	★	★	★	. . .	. . .	(m)	(m)	. . .	. . .	. . .	. . .
West Virginia	★	★	★	★	B	. . .	B	B	. . .	. . .	B	B
Wisconsin	★	★	★	★	B	. . .	B	. . .	. . .	. . .	B	B
Wyoming	★	★	★	★	B	. . .	. . .	B	. . .	. . .	. . .	B
Guam	★	★	-----Unicameral-----		. . .	. . .	U	U	. . .	. . .	. . .	. . .
No. Mariana Islands	★	★	★	★	B (n)	B (n)	B (n)	B (n)	B (n)	B (n)	B (n)	B (n)

Source: The Council of State Governments' legislative survey, March 1992.

* Multiple entries reflect a combination of organizational location of services.

Key:

★ — All committees
• — Some committees
. . . — Not provided
B — Both chambers
H — House
S — Senate
U — Unicameral

(a) Includes legislative council or service agency or central management agency.

(b) Includes chamber management agency, office of clerk or secretary and House or Senate research office.

(c) Standing committees are joint House and Senate committees.

(d) Provided on a pool basis.

(e) Provided on an ad hoc basis.

(f) The Senate secretary and House clerk maintain supervision of committee clerks. During the session each committee selects its own clerk.

(g) Clerical staff hired during session only.

(h) Committees hire additional staff on a contractual basis during session only under direction of chairman.

(i) Member's personal secretary serves as a clerk to the committee or subcommittee that the member chairs.

(j) House and Senate Appropriations Committees have Legislative Council fiscal staff at their hearings.

(k) Bill clerks during session only.

(l) Staff is assigned to each committee but work under the direction of the chairman.

(m) Hiring by Senate committee. Service with concurrence of bi-partisan employment committee.

(n) In general, the Legislative Bureau provides legal and staff assistance for legislative meetings and provides associated materials. Individual legislators hire personal or committee staff as their budgets provide and at their own discretion.

Table 3.28
STANDING COMMITTEES: APPOINTMENT AND NUMBER

State or other jurisdiction	*Committee members appointed by:*		*Committee chairpersons appointed by:*		*Number of standing committees during regular 1991 session (a)*	
	Senate	*House*	*Senate*	*House*	*Senate*	*House*
Alabama	P (b)	S	P (b)	S	25	26
Alaska	CC (c)	CC (c)	CC (c)	CC (c)	9 (d)	9 (d)
Arizona	P	S	P	S	11 (d)	16 (d)
Arkansas	CC	S	CC	(e)	13 (d)	13 (d)
California	CR	S	CR	S (f)	23 (d)	25 (d)
Colorado	MjL,MnL	S,MnL	MjL	S	10	10
Connecticut	PT	S	PT	S	(g)	(g)
Delaware	PT	S (h)	PT	S	23 (d)	21 (d)
Florida	P	S	P	S	20 (d)	29 (d)
Georgia	P (b)	S	P (b)	S	24	28
Hawaii	P (i)	(j)	P (i)	(j)	15	18
Idaho	PT (k)	S	PT	S	12	14
Illinois	CC	S,MnL	CC	S	23	38
Indiana	PT	S	PT	S	17	25
Iowa	MjL,Mnl (l)	S	MjL,MnL (l)	S	15 (d)	16 (d)
Kansas	(m)	S	(m)	S	19 (d)	22 (d)
Kentucky	CC	CC	CC	CC	13	16
Louisiana	P	S (n)	P	S	16	15
Maine	P	S	P	S	4 (g)	6 (g)
Maryland	P	S	P	S	6 (d)	7 (d)
Massachusetts	P	S,MnL	P	S	6 (g)	6 (g)
Michigan	MjL	S	MjL	S	15	29
Minnesota	(o)	S	(o)	S	20	22
Mississippi	P (b)	S (p)	P (b)	S	29 (d)	28 (d)
Missouri	PT (q)	S,MnL	PT	S	27 (d)	46 (d)
Montana	CC	S	CC	S	17	15
Nebraska (U)	CC		CC		14	
Nevada	(r)	S	(r)	S	9	11
New Hampshire	P (s)	S (t)	P (s)	S	19 (d)	24 (d)
New Jersey	P	S	P	S	16 (d)	28 (d)
New Mexico	CC	S	CC	S	9	15
New York	PT (u)	S	PT (u)	S	32 (d)	37 (d)
North Carolina	PT,MnL	S	PT	S	32	24
North Dakota	CC	S	CC	S	11 (d)	11 (d)
Ohio	(v)	S	(v)	S	14	27
Oklahoma	PT,MnL	S	PT	S	17 (d)	23 (d)
Oregon	P	S	P	S	15 (d)	16 (d)
Pennsylvania	PT	CC (w)	PT	S	22	22
Rhode Island	MjL	S	MjL	S	6 (d)	6 (d)
South Carolina	E (x)	S	E	E	15	11
South Dakota	(y)	S	(y)	S	13 (d)	13 (d)
Tennessee	S	S	S	S	9 (d)	11 (d)
Texas	P (b)	S (z)	P (b)	S	9	36
Utah	P	S	P	S	10 (d)	12 (d)
Vermont	CC	S	CC	S	12 (d)	15 (d)
Virginia	E	S (aa)	(bb)	S	11	19
Washington	P (b,cc)	S (dd)	P (b,cc)	S (ee)	14	21
West Virginia	P	S	P	S	17 (d)	13 (d)
Wisconsin	(ff)	S	(ff)	S	12 (d)	34 (d)
Wyoming	P (gg)	S (gg)	P (gg)	S (gg)	12	12
Dist. of Columbia (U)	(hh)		(hh)		13	
Guam (U)	(ii)		E		10	
No. Mariana Islands	P	S	P	S	7	6
U.S. Virgin Islands (U)	P		P		14	

See footnotes at end of table.

STANDING COMMITTEES: APPOINTMENT AND NUMBER—Continued

Source: State legislative rule books and manuals.

Note: Standing committees are those which regularly consider legislation during the legislative session.

Key:

CC — Committee on Committees
CR — Committee on Rules
E — Election
MjL — Majority Leader
MnL — Minority Leader
P — President
PT — President pro tempore
S — Speaker
(U) — Unicameral Legislature

(a) According to survey conducted for *State Legislative Leadership, Committees & Staff, 1991-92*, a publication of The Council of State Governments.

(b) Lieutenant governor is president of the Senate.

(c) Report of Committee on Committees is subject to approval by majority vote of chamber's membership.

(d) Also, joint standing committees. Alaska, 2; Arizona, 4; Arkansas, 6; California, 10; Delaware, 2; Florida, 5; Iowa, 1; Kansas, 7; Maryland, 2 (and 6 joint statutory); Mississippi, 6; Missouri, 8; New Hampshire, 3; New Jersey, 2; New York, 15; North Dakota, 1; Oklahoma, 3; Oregon, 2; Rhode Island, 8; South Dakota, 1; Tennessee, 1; Utah, 10; Vermont, 4; West Virginia, 3; Wisconsin, 6.

(e) Chair of the standing committee is the ranking member of the committee on seniority basis.

(f) Except membership of the Committee on Rules. Chair and vice-chair of the standing and special committees are to be members of different parties.

(g) Substantive standing committees are joint committees. Connecticut, 22; Maine, 19; Massachusetts, 21.

(h) Shall include members of two political parties.

(i) President appoints committee members and chairs; minority members on committees are nominated by minority party caucus.

(j) By resolution, with members of majority party designating the chair, vice-chairs and majority party members of committees, and members of minority party designating minority party members.

(k) Committee members appointed by the Senate leadership under the direction of the president pro tempore, by and with the Senate's advice.

(l) Appointments made after consultation with the president.

(m) Committee on Organization, Calendar and Rules.

(n) Speaker appoints only nine of the 17 members of the Committee on Appropriations.

(o) Subcommittee on Committees of the Committee on Rules and Administration.

(p) Except Rules and Management Committees.

(q) Minority leader appoints committee members from minority party.

(r) Committee composition and leadership usually determined by party caucus.

(s) Appointments made after consultation with the minority leader.

(t) Speaker appoints minority members with advice of the minority floor leader.

(u) President pro tempore is also majority leader.

(v) Appointed by Senate.

(w) Makes recommendation to the House.

(x) Seniority system is retained in process.

(y) Presiding officer announces committee membership after selection by president pro tempore, majority and minority leaders.

(z) A maximum of one-half of the membership on each standing committee, exclusive of the chair and vice chair, is determined by seniority; the remaining membership is appointed by the speaker.

(aa) Unless otherwise specially directed by the House, in which case they shall be appointed by ballot and a plurality of votes shall prevail.

(bb) Senior member of the majority part on the committee is the chair.

(cc) Confirmed by the Senate.

(dd) By each party caucus.

(ee) By majority caucus.

(ff) Committee on Senate Organization.

(gg) With the advice and consent of the Rules and Procedures Committee.

(hh) Chair of the Council.

(ii) Chair of each committee.

Table 3.29
STANDING COMMITTEES: PROCEDURE

State or other jurisdiction	Uniform rules of committee procedure			Public access to committee meetings: Open to public		Public access to committee meetings: Advance notice required (number of days)		Recorded roll call on vote to report bill to floor	
	Senate	*House*	*Joint*	*Senate*	*House*	*Senate*	*House*	*Senate*	*House*
Alabama	. . .	★		★	★	. . .	. . .	Al	Nv
Alaska	. . .	. . .		★	★	. . .	. . .	Sm	Sm
Arizona	. . .	★		★	★	5	(a)	Nv	Al
Arkansas	★	★	★	★	★	2	1	Sm	Sm
California	★	★	★	★	★	(a)	(a)	Al	Al
Colorado	★	★		★	★	. . .	. . .	Al	Al
Connecticut			★	★ (b)	★ (b)	1	1	Al	Al
Delaware	★	★		★	★ (b)	(a)	(a)	Al	Al
Florida	★	★		★	★	1 (c)	2 (d)	Al	Al
Georgia	. . .	. . .		★	★	. . .	. . .	Sm	Nv
Hawaii	★	★		★ (b)	★	2	2	Al	Al
Idaho	★	★		★	★	. . .	. . .	Sm	Sm
Illinois	★	★		★	★	6	6.5	Al	Al
Indiana	. . .	. . .		★	★	2	(a)	Al	Al
Iowa	★	★		★	★	. . .	1	Al	Al
Kansas	★	★		★	★	. . .	. . .	Sm	Al
Kentucky	. . .	. . .		★	★	. . .	. . .	Al	Al
Louisiana	★	★		★	★	(a)	(a)	Sm	Al
Maine			★	★	★	(a)	(a)	Sm	Sm
Maryland	★	★		★	★	(a)	(a)	Al	Al
Massachusetts	. . .	. . .	. . .	★	★ (b)	. . .	. . .	Nv	Sm
Michigan	★	★		★	★	. . .	. . .	Al	Al
Minnesota	★	★		★	★	3	3	Sm	Sm
Mississippi	. . .	. . .	. . .	★	★ (b)	. . .	. . .	Sm	Sm
Missouri	★	★	★	★	★	(a)	1	Al	Al
Montana	. . .	. . .		★	★	3	. . .	Al	Al
Nebraska (U)	★			★ (b)		7		Al	
Nevada	★	★		★	★	(a)	5 (e)	Al	Al
New Hampshire	. . .	★		★	★	5	4	Al	Al
New Jersey	★	★		★	★	5	5	Al	Al
New Mexico	★	★		★	★	. . .	. . .	Sm	Sm
New York	★	★		★ (b)	★ (b)	7	7	Al	Nv
North Carolina	. . .	. . .		★ (b)	★	(a)	(a)	Sm	Sm
North Dakota	★	★		★	★	(f)	(f)	Al	Al
Ohio	★	★		★	★	2	(a)	Al	Al
Oklahoma	★	★		★	★	(a)	(a)	Al	Sm
Oregon	★	★		★	★	1 (g)	1 (h)	Al	Al
Pennsylvania	. . .	. . .		★ (b)	★	(a)	5	Al	Al
Rhode Island	★	★		★ (b)	★ (b)	2	. . .	Sm	Al
South Carolina	★	★		★	★ (b)	1	1	Sm	Sm
South Dakota	★	★	★	★	★	1	1	Al	Al
Tennessee	★	★		★	★	(i)	(i)	Al	Al
Texas	★	★		★	★ (b)	1	5	Sm	Al
Utah	★	★	★	★	★	1	1	Al	Al
Vermont	★	★	★	★ (b)	★	. . .	. . .	Al	Al
Virginia	★	★		★ (b)	★ (j)	(a)	(a)	Al	Al
Washington	★	★		★	★	5	5	Al	Al
West Virginia	★	★	★	★ (b)	★ (b)	. . .	. . .	Al	Al
Wisconsin	★	★	★	★	★	7	7	Al	Al
Wyoming	★	★		★	★	. . .	. . .	Al	Al
Guam (U)	★			★ (b)		7		Al	
No. Mariana Islands	★	★		★	★	. . .	. . .	Sm	Al
U.S. Virgin Islands (U)	★			★		7 (k)		Us	–

See footnotes at end of table.

STANDING COMMITTEES: PROCEDURE—Continued

Source: State legislative rule books and manuals.

Key:
★ — Yes
. . . — No
Al — Always
Us — Usually
Sm — Sometimes
Nv — Never
(U) — Unicameral legislature

(a) No specified time. Maine—usually seven days notice given. Maryland—"from time to time," usually seven days. Nevada—"adequate notice." North Carolina—notice must be given in the House or Senate; two methods to waive notice in the Senate. Ohio—"due notice." Virginia—notice published in the daily calendar.

(b) Certain matters specified by statute can be discussed in executive session. Connecticut—upon a 2/3 vote of committee members present and voting and stating the reason for such executive session. North Carolina—appropriations committees are required to sit jointly in open session. Guam—hearings are open to the public, but meetings may be closed.

(c) During session—one day notice for first 50 days, two hours thereafter.

(d) During session—two days notice for first 45 days, two hours thereafter.

(e) Public hearings on bills or resolutions of "high public importance" must receive five calendar days notice. All other committee meetings must have 24 hours notice.

(f) Rules require posting of bills and resolutions to be considered at each meeting and provide deadlines for such posting depending upon the schedules for particular committees.

(g) Except in case of meeting to resolve conflicts or inconsistencies among two or more measures, in which case posting and notice to the public shall be given immediately upon call of the meeting, and notice of the meeting shall be announced on the floor if the Senate is in session.

(h) In case of actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances.

(i) Committees meet on a fixed schedule during sessions. Senate: five days notice required during interim. House: 72 hours notice required during interim.

(j) Committee meetings are required to be open for final vote on bill.

(k) Advance notice may be waived if the committee determines there is cause to conduct a meeting sooner. In that case, notice must be given at least 48 hours in advance. Items on the agenda may be considered by unanimous consent.

Table 3.31
LEGISLATIVE REVIEW OF ADMINISTRATIVE REGULATIONS: STRUCTURES AND PROCEDURES

State	*Type of reviewing committee*	*Rules reviewed*	*Time limits in review process*
Alabama	Mbrs. Legislative Council	P	60 days for action by committee.
Alaska	Joint bipartisan	P,E	. . .
Arizona	(a)		
Arkansas	Joint bipartisan	P,E	. . .
California	(a)		
Colorado (b)	Joint bipartisan	E	Every newly adopted or amended rule expires on June 1 of the following year. Each year the committee sponsors a bill before the General Assembly which extends the adopted or amended rules due to expire.
Connecticut	Joint bipartisan	P	65 days for action by committee.
Delaware	(a)		
Florida	Joint bipartisan	P,E	. . .
Georgia (b)	Standing committee	P	The agency notifies the Legislative Counsel 30 days prior to the effective dates of proposed rules.
Hawaii	(a)		
Idaho	Germane joint subcommittees	P,E	All rules expire one year after adoption and must be reauthorized through legislative action.
Illinois	Joint bipartisan	P,E	If the committee objects to a rule, the agency has 90 days to modify or withdraw the rule. If the agency refuses to act during that period, the committee may prohibit adoption of the rule for 180 days.
Indiana (b)	Joint bipartisan	E	The legislature is not involved in the rules review process.
Iowa	Joint bipartisan	P,E	. . .
Kansas	Joint bipartisan	E	New rules become effective 45 days following publication in the *Kansas Register*.
Kentucky	Joint bipartisan subcommittee	P	. . .
Louisiana (b)	Standing committee	P	All proposed rules and fees are submitted to designated standing committees of the legislature. If a rule is unacceptable, the committee sends a written report to the governor. The governor has 10 days to disapprove the committee report. If both Senate and House committees fail to find the rule acceptable, or if the governor disapproves the action of a committee within 10 days, the agency may adopt the rule change.
Maine	Jt. standing cmtes. & Executive Dir. of the Legislative Council	E	Any group of 100 or more registered voters, or any person directly, substantially, or adversely affected by a rule may file an application for review with the executive director of the Legislative Council. One-third or more of the appropriate standing committee must request a review within 15 days of receipt of the application.
Maryland (b)	Joint bipartisan	P,E	. . .
Massachusetts (b)	Jt. standing cmtes. & Commissioner of Administration and Finance	P	Rules review applies to capitol facilities only. If the rule is not approved by the General Court and the governor within 90 days of filing, it is deemed to have been disapproved.
Michigan	Joint bipartisan	P	Joint Committee on Administrative Rules has two months (three months by vote of committee) to approve/disapprove proposed rule.
Minnesota	Joint Legislative Commission	E	The commission may not take action until the standing committees of both houses report to the commission or after 60 days have lapsed.
Mississippi	(a)		
Missouri	Joint bipartisan	P,E	. . .
Montana	Joint bipartisan	P,E	. . .
Nebraska	(a)		
Nevada	Joint bipartisan	P	If the committee objects to a rule, the agency has 10 days to revise it.
New Hampshire	Joint bipartisan	P	Within 45 days of the filing, the committee may approve or object.
New Jersey	(a)		
New Mexico	(a)		
New York	Joint bipartisan commission	P,E	. . .
North Carolina	Public membership appointed by legislature	P	Generally 30 days for action by committee. Majority vote of the committee delays the rule's effective date for a period not to exceed 90 days.
North Dakota	Interim committee with possible public membership	P,E	Within 14 days the agency must respond in writing to the committee's objection. Objections are published in the supplement to the *North Dakota Code*.
Ohio	Joint bipartisan	P,E	All proposed rules are submitted to the committee 60 days prior to adoption.
Oklahoma (b)	Standing cmte. or cmte. appointed by leadership of both houses	E	. . .
Oregon	Joint bipartisan	P,E	. . .
Pennsylvania	Standing committee	P	Standing committee has 20 days to review the final form regulation.
Rhode Island	(a)		
South Carolina	Standing committees	P	120 days for action by committee or legislature. If the committee does not approve the rule, the agency must resubmit or withdraw it within 30 days.

See footnotes at end of table.

Table 3.30
LEGISLATIVE ACTIVITIES PERFORMED WITH THE USE OF COMPUTERS

State or other jurisdiction	*Statutory, bill systems, legal applications*							*Fiscal, budget, economic applications*											*Legislative management*			
	Statutory retrieval	*Bill drafting*	*Bill status report*	*Statutory revision*	*Case law retrieval*	*Redistricting*	*Other*	*Revenue forecasting*	*Revenue analysis*	*Budget comparison*	*Budget effects of legislation*	*Fiscal notes*	*Local fiscal notes*	*Economic impact notes*	*Impact of salary and fringe changes*	*State aid formulas*	*Tracking federal dollars*	*Other*	*Computer printing*	*Legislative accounting*	*Mailing lists*	*Other*
Alabama	★	★	★	★	. . .	★		★	★	★	★	★	★	★	★	★	. . .		★	★	★	
Alaska	★	★	★	★	★	★		★	★	★	★	★	★	★	★	★	★		★	★	★	
Arizona	★	★	★	★	. . .	★		★	★	★	★	★	★	. . .	★	★	★	(a)	. . .	★	★	(b)
Arkansas	★	★	. . .	★	. . .	. . .		★	★	★	★	. . .	. . .	★	★	★	. . .		. . .	. . .	. . .	
California	★	★	★	★	★	★	(c,d)	★	★	★	★	★	★	★	★	★	★		★	★	★	(e)
Colorado	★	★	★	★	. . .	★		★	★	★	★	★	★	★	★	★	★		. . .	★	★	
Connecticut	★	★	★	★	★	★		★	★	★	★	★	★	. . .	★	★	★		★	★	★	(f)
Delaware	★	★	★	★	. . .	★		★	★	★	★	★	. . .	★	★	★	. . .		★	★	★	
Florida	★	★	★	★	. . .	★		★	★	★	★	★	★	★	★	★	. . .		★	★	★	
Georgia	★	★	★	★	★	★	(g)	. . .	. . .	★	★	★	. . .	. . .	★	★	★	(h)	★	★	★	(i)
Hawaii	★	★	★	★	. . .	. . .		★	★	★	★	★	★	★	★	. . .	. . .		. . .	★	★	
Idaho	★	★	★	★	. . .	★		★	★	★	★	★	★	★	★	★	. . .		★	★	★	
Illinois	★	★	★	★	★	★		★	★	★	★	★	★	★	★	★	★		★	★	★	
Indiana	★	★	★	★	★	★		★	★	★	★	★	★	★	★	★	★		★	. . .	★	(j)
Iowa	★	★	★	★	. . .	★		★	★	★	★	★	. . .	. . .	. . .	★	★	(k)	★	★	★	
Kansas	★	★	★	★	. . .	★		. . .	★	★	★	. . .	. . .	. . .	. . .	★	. . .		★	★	★	
Kentucky	★	★	★	★	★	★		★	★	★	★	★	★	★	★	★	. . .		★	★	★	
Louisiana	★	★	★	★	★	★		★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .		★	★	★	
Maine	★	★	★	★	★	★	(l)	. . .	. . .	★	★	★	. . .	. . .	. . .	. . .	. . .	(m)	★	★	★	(n)
Maryland	★	★	★	★	. . .	★		★	★	★	★	★	★	★	★	★	★		★	★	★	
Massachusetts	★	★	★	★	★	★		★	★	★	★	★	★	★	★	★	★		★	★	★	
Michigan	★	★	★	★	. . .	★		★	★	★	★	★	. . .	★	★	★	★		★	★	★	(b,o)
Minnesota	★	★	★	★	. . .	★		★	★	★	★	★	★	★	★	★	★		★	★	★	
Mississippi	★	★	★	★	. . .	★		★	★	★	★	★	. . .	. . .	★	★	★		★	★	★	
Missouri	★	★	★	★	. . .	★		★	★	★	★	★	★	. . .	S	★	★		★	★	★	
Montana	★	★	★	★	★	★		★	★	★	★	★	★	★	★	★	★		★	★	★	(p)
Nebraska	★	★	★	★	★	★		★	★	★	★	★	★	. . .	★	★	. . .		★	★	★	
Nevada	★	★	★	★	. . .	★		★	★	★	. . .	. . .	. . .	. . .	★	★	★		★	★	★	
New Hampshire	★	★	★	★	. . .	. . .		★	★	★	★	★	★	★	★	★	★		★	★	★	
New Jersey	★	★	★	★	. . .	★		★	★	★	★	★	★	★	★	★	. . .		★	★	★	(b,q,r)
New Mexico	★	★	★	★	★	★		★	★	★	. . .	★	★	. . .	. . .	. . .	. . .		. . .	★	★	
New York	★	★	★	★	★	★		★	★	★	★	★	★	★	★	★	★		★	★	★	(r)
North Carolina	★	★	★	★	. . .	★	(s)	★	★	★	★	★	. . .	. . .	★	. . .	. . .	(t)	★	★	★	(u)
North Dakota	★	★	★	★	★	★	(v)	. . .	★	★	★	. . .	. . .	. . .	★	. . .	★		★	★	★	(w)
Ohio	★	★	★	★	★	★	(c)	★	★	★	★	★	★	. . .	★	★	. . .	(x)	★	★	★	

See footnotes at end of table.

LEGISLATIVE ACTIVITIES PERFORMED WITH THE USE OF COMPUTERS—Continued

State or other jurisdiction	*Statutory, bill systems, legal applications*							*Fiscal, budget, economic applications*											*Legislative management*			
	Statutory retrieval	*Bill drafting*	*Bill status report*	*Statutory revision*	*Case law retrieval*	*Redistricting*	*Other*	*Revenue forecasting*	*Revenue analysis*	*Budget comparison*	*Budget effects of legislation*	*Fiscal notes*	*Local fiscal notes*	*Economic impact notes*	*Impact of salary and fringe changes*	*State aid formulas*	*Tracking federal dollars*	*Other*	*Computer printing*	*Legislative accounting*	*Mailing lists*	*Other*
Oklahoma	★	★	★	★	S	★	(y)	H	★	★	★	★	S	H	★	★	. . .		★	★	S	(b)
Oregon	★	★	★	★	★	★		★	★	★	★	★	★	. . .	★	★	★		★	★	★	
Pennsylvania	★	★	★	★	. . .	★	(c,z,aa)	★	★	★	★	★	. . .	. . .	★	★	. . .	(bb)	★	★	. . .	(cc)
Rhode Island	★	★	★	★	. . .	★		★	★	★	★	★	★	. . .	★	★	. . .		★	★	★	
South Carolina	★	★	★	★	★	★		★	★	★	★	. . .	. . .	★	. . .	. . .	★		★	★	★	
South Dakota	★	★	★	★	. . .	★		★	★	★	★	. . .	. . .	★	★	★	. . .		. . .	★	★	
Tennessee	★	★	★	. . .	. . .	★		. . .	. . .	. . .	★	★	★	★	★	. . .	. . .		★	★	★	
Texas	★	★	★	★	★	★		★	★	★	★	★	★	★	★	★	★		★	★	★	
Utah	★	★	★	★	★	★		★	★	★	★	★	★	★	★	★	★		★	★	★	
Vermont	★	★	★	★	. . .	★		★	★	★	. . .	. . .	. . .	. . .	★	★	★		. . .	. . .	. . .	
Virginia	★	★	★	★	★	★	(c,g)	. . .	★	★	★	. . .	. . .	. . .	. . .	★	★		★	. . .	★	(dd)
Washington	★	★	★	★	★	★	(c,ee)	★	★	★	★	★	. . .	★	★	★	★		★	★	★	(dd)
West Virginia	★	★	★	★	. . .	★	(z)	. . .	★	★	★	. . .	. . .	. . .	. . .	. . .	★	(ff)	★	★	★	(dd)
Wisconsin	★	★	★	★	★	★		★	★	★	★	. . .	. . .	. . .	. . .	★	. . .	(gg)	★	★	★	(hh)
Wyoming	★	★	★	★	. . .	★		★	★	★	. . .	★	. . .	. . .	★	. . .	★		★	★	★	
Guam	. . .	★	★	★	. . .	. . .		. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .		. . .	★	. . .	
No. Mariana Islands	★	★	★	★	★	★		★	★	★	★	★	★	★	★	★	★		★	★	★	

Source: The Council of State Governments' legislative survey, March 1992.

Key:

★ — Existing application

. . . — Not an existing application

S — Performed in Senate only

H — Performed in House only

(a) Capital outlay formulas, budget stabilization fund.

(b) Electronic mail.

(c) Roll calls and/or voting.

(d) Bill history, daily file, bill analyses.

(e) Constituent case work management, payroll, inventory control.

(f) Journals, calendars, daily bulletins, budget, scheduling facilities usage.

(g) Legal, legislative tracking or other databases searches.

(h) Preparation of appropriations and supplemental appropriations bill; selected research on policy issues having a fiscal impact.

(i) Inventory and purchasing.

(j) Publication of *Indiana Register*.

(k) Producing fiscal analysis reports.

(l) Highly-integrated system; interfaces with roll-call system and word processing system. Supports production of calendars, journals, Legislative Record, and camera-ready bills and amendments. Bill indexes.

(m) General fund tracking.

(n) Boards and commissions.

(o) Print shop inventory and job accounting.

(p) Inventory management.

(q) Workload analysis, work flow tracking, lists of publications.

(r) Electronic publishing (desk top publishing, business graphics, etc.)

(s) Retrieval of attorney general's opinions; constitution retrieval.

(t) State corporation licensing system.

(u) Committee appointment tracking; electronic calendar and mail; personnel and/or payroll.

(v) Daily journals.

(w) Committee hearing schedules.

(x) Expenditure information for executive agencies and for legislative staff; accounting.

(y) Bill citator, preparation of calendars, personnel and payroll, workload analysis and management, bill request tracking, bill history, executive nominations.

(x) Preparation/printing of journals, calendars, public laws and/or supplements/annotations.

(aa) Photocomposition.

(bb) State mandates.

(cc) Registered lobbyists, executive nominations, leave accounting, state-wide election results, payroll and benefits.

(dd) Committee meeting scheduling.

(ee) Sponsor tracking.

(ff) Post audits.

(gg) Tax modeling.

(hh) Questionnaire processing.

STRUCTURES AND PROCEDURES—Continued

State	*Type of reviewing committee*	*Rules reviewed*	*Time limits in review process*
South Dakota	Joint bipartisan	P	A proposed or provisional rule can be suspended until July 1 following the next legislative session if five of the committee's six members agree.
Tennessee	Joint standing committee	P	All permanent rules take effect 45 days after filing with the secretary of state. Rules filed in a calendar year expire on June 30 of the following year unless extended by the General Assembly.
Texas	Appropriate standing committees	P	. . .
Utah	Joint bipartisan	P	Each rule in effect on January 1 of each year expires on May 1 of that year unless it is reauthorized by the legislature.
Vermont	Joint bipartisan	P,E	All final proposed rules must be submitted to the committee, which has 30 days to review them. Within 14 days of receiving an objection the agency must respond in writing. If the committee still objects it may file its objection with the secretary of state.
Virginia (b)	Standing committee	P,E	Legislative review is optional. Within 21 days after the receipt of an objection, the agency shall file a response with the registrar, the objecting legislative committee and the governor. After an objection is filed, the regulation unless withdrawn by the agency shall become effective on a date specified by the agency which shall be after the 21-day extension period.
Washington (b)	Joint bipartisan	P,E	If the committee determines that a proposed rule does not comply with legislative intent, it notifies the agency, which must schedule a public hearing within 30 days of notification. The agency notifies the committee of its action within seven days after the hearing. If a hearing is not held or the agency does not amend the rule, the objection may be filed in the state register and referenced in the state code. The committee's powers, other than publication of its objections, are advisory.
West Virginia	Joint bipartisan	P	. . .
Wisconsin	Joint bipartisan	P	The standing committee has 30 days to conduct its review.
Wyoming (b)	Joint bipartisan	P,E	. . .

Source: National Conference of State Legislatures.

Key:
P — Proposed rules
E — Existing rules
. . . — No formal time limits

(a) No formal mechanism for legislative review of administrative rules.

(b) Review of rules is performed by both legislative and executive branches.

Table 3.32
LEGISLATIVE REVIEW OF ADMINISTRATIVE REGULATIONS: POWERS

State	*Reviewing committee's powers:*			*Legislative powers:*
	Advisory powers only (a)	*No objection constitutes approval of proposed rule*	*Committee may suspend rule*	*Method of legislative veto of rules*
Alabama	. . .	★	★	Joint resolution (b)
Alaska	(c)	(c)	. . .	Statute (c)
Arizona	(d)			
Arkansas	(e)	N.A.	N.A.	N.A.
California	(d)			
Colorado	. . .	★	. . .	Statute (f)
Connecticut	. . .	★	★	Resolution (g)
Delaware	(d)			
Florida	★	N.A.	N.A.	(h)
Georgia	. . .	★	. . .	Resolution (i)
Hawaii	(d)			
Idaho	. . .	★	. . .	Concurrent resolution (j)
Illinois	. . .	. . .	★	Joint resolution
Indiana	★ (k)	. . .	N.A.	(l)
Iowa	. . .	★	★	Joint resolution
Kansas	. . .	★	. . .	Concurrent resolution
Kentucky	. . .	★	. . .	Statute
Louisiana	. . .	★	(m)	Concurrent resolution
Maine	★	N.A.	N.A.	(n)
Maryland	(o)	★	. . .	N.A.
Massachusetts	. . .	(p)	. . .	Joint resolution
Michigan	. . .	. . .	(q)	Concurrent resolution (r)
Minnesota	. . .	. . .	★	Statute
Mississippi	(d)			
Missouri	. . .	★	★	(s)
Montana	. . .	. . .	. . .	Statute —
Nebraska	(d)			
Nevada	★	★	N.A.	N.A.
New Hampshire	★	★	N.A.	(t)
New Jersey	(d)			
New Mexico	(d)			
New York	★	★	N.A.	N.A.
North Carolina	. . .	. . .	★	Statute (u)
North Dakota	★	★ (v)	N.A.	(w)
Ohio	. . .	(x)	★	Concurrent resolution (y)
Oklahoma	. . .	★	. . .	Joint resolution (z)
Oregon	★ (aa)	N.A.	N.A.	(bb)
Pennsylvania	. . .	★	. . .	Concurrent resolution (cc)
Rhode Island	(d)			
South Carolina	. . .	★	. . .	Joint resolution (dd)
South Dakota	. . .	★	★	Statute
Tennessee	. . .	N.A.	. . .	Statute (ee)
Texas	★ (ff)	N.A.	N.A.	N.A.
Utah	. . .	N.A.	. . .	Statute (ee)
Vermont	★ (t)	★	N.A.	None
Virginia (d)	★ (gg)	N.A.	N.A.	N.A.
Washington	★ (hh)	N.A.	(ii)	N.A.
West Virginia	★	. . .	N.A.	(jj)
Wisconsin	. . .	★	★	Statute (kk)
Wyoming	. . . (ll)	N.A.	. . .	Statute (mm)

See footnotes at end of table.

POWERS—Continued

Source: National Conference of State Legislatures.

Key:

★ — Yes

. . . — No

N.A. — Not applicable

(a) This column is defined by those legislatures or legislative committees that can only recommend changes to rules but have no power to enforce a change.

(b) A rule disapproved by the reviewing committee is reinstated at the end of the next session if a joint resolution in the legislature fails to sustain committee action.

(c) Committee powers are advisory. Veto authority of the committee was ruled unconstitutional. However, the legislature can pass legislation for presentment to the executive to annul a rule.

(d) No formal mechanism for legislative review of administrative rules. In Virginia, legislative review is optional.

(e) Committee reports findings only to Legislative Council. Council acts in an advisory capacity to General Assembly and may submit appropriate legislation.

(f) All newly adopted or amended rules expire on June 1 of the year following adoption or amendment. The legislature exercises sunset control over rules. Each year a bill is filed that extends all rules promulgated the previous year, except for those rules specifically designated by the committee.

(g) By February 15 of each regular session, the committee submits for study to the General Assembly a copy of all disapproved regulations. The General Assembly may by resolution sustain or reverse a vote of disapproval.

(h) Committee is required to report annually to the legislature to recommend needed legislation.

(i) The reviewing committee must introduce a resolution to override a rule within the first 30 days of the next regular session of the General Assembly. If the resolution passes by less than a two-thirds majority of either house, the governor has final authority to affirm or veto the resolution.

(j) All rules are terminated one year after adoption unless the legislature reauthorizes the rule.

(k) Governor can veto rules with or without cause.

(l) Legislature has authority to intervene only after a rule is adopted. The committee meets during the interim but can affect a rule only through recommending a change in statute.

(m) If the committee determines that a proposed rule is unacceptable, it submits a report to the governor who then has 10 days to accept or reject the report. If the governor rejects the report, the rule change may be adopted by the agency. If the governor accepts the report, the committee can block agency action.

(n) If the legislature determines a rule is inappropriate or unnecessary, it may direct the Office of Policy and Legal Analysis to draft legislation to amend the statutory authority of the agency to amend the rule.

(o) In six specific instances, the legislature has added language to the enabling statutes giving it veto power over regulations.

(p) If a rule is not approved by the General Court and the governor within 90 days of filing, it is considered disapproved.

(q) Committee can suspend rules during interim only.

(r) Must be passed within 60 days of its introduction in the legislature.

(s) In many statutes, the committee has the authority to rescind a rule or any part of a rule.

(t) Filing an objection to a rule shifts the burden of proof to the agency in any action for judicial review.

(u) If an agency does not amend a rule to address an objection of the commission, the commission may send written notice to leadership in both houses. The General Assembly may enact legislation disapproving the rule.

(v) Unless formal objections are made, rules are considered approved.

(w) Objection to a rule can lead to legislation affecting statutory authority of agency.

(x) Committee does not approve rules. Committee can recommend invalidation only of all or part of a rule. Inaction on a rule is not considered approval or consent of legality of a rule.

(y) Must be adopted within 60 days. Any rule promulgated during the interim goes into effect, but a concurrent resolution may be passed within the first 60 days of the next session to disapprove the rule.

(z) Failure of the legislature to adopt a joint resolution within 30 legislative days results in automatic approval.

(aa) Neither the governor nor the legislature has veto authority over rules.

(bb) The committee reports to the legislature during each regular session on the review of rules by the committee.

(cc) The committee has 14 days to introduce a concurrent resolution, which then must be passed by both chambers within 10 legislative days or 30 calendar days.

(dd) Must be passed within 120-day review period and presented to the governor for signature.

(ee) The legislature exercises sunset control over rules. Each year a bill is filed that extends all rules promulgated the previous year, except for those rules specifically designated by the committee.

(ff) On a vote of a majority of the committee, the committee may send a statement supporting or opposing the proposed rule.

(gg) Rules objected to become effective 21 days after receipt of objection by the Registrar of Regulations.

(hh) Objections are published in the ***Washington State Register***.

(ii) By a two-third's vote, the committee may request the governor to approve suspension of a rule.If the governor approves, the suspension is effective until 90 days after the end of the next regular session.

(jj) State agencies have no power to promulgate rules without first submitting proposed rules to the legislature which must enact a statute authorizing the agency to promulgate the rule. If the legislature fails to enact a statute during a regular session, the agency may not issue the rule nor take action to implement all or part of the rule unless authorized to do so.

(kk) Bills are introduced simultaneously in both houses.

(ll) Legislative Management Council can recommend action be taken by the full legislature.

(mm) Action must be taken before the end of the next succeeding legislative session to nullify a rule.

Table 3.34
LOBBYISTS: AS DEFINED IN STATE STATUTES

	Definition of a lobbyist includes							*Prohibited activities involving lobbyists*					
State or other jurisdiction	*Legislative lobbying*	*Administrative agency lobbying*	*Elective officials as lobbyists*	*Public employees as lobbyists*	*Compensation standard*	*Expenditure standard*	*Time standard*	*Making campaign contributions at any time*	*Making campaign contributions during legislative sessions*	*Making expenditures in excess of $ per official per year*	*Solicitation by officials or employees for contributions or gifts*	*Contingent compensation*	*Other*
Alabama	★	...	...	...	...	...	★	...	...	...	★	★	...
Alaska	★	★	...	...	...	...	★	...	...	...	...	★	...
Arizona*	★	★	...	...	...	...	...	...	...	...	...	...	...
Arkansas	★	★	★	★	...	★	...	...	★	...	...	...	...
California	★	★	...	★	★	...	★	...	...	...	...	★	(a)
Colorado*	★	...	★	...	★	★	...	...	...	...	...	...	...
Connecticut	★	★	...	...	★	★	★	...	★	...	...	★	(a,b)
Delaware	★	...	...	...	...	...	...	...	...	...	...	...	...
Florida	★	...	★	★	...	...	...	...	...	...	★	...	...
Georgia*	★	...	...	...	...	...	...	...	...	...	...	★	(c)
Hawaii	★	★	...	...	★	★	★	...	...	...	...	★	...
Idaho	★	...	★	★	★	...	...	...	...	...	★	★	...
Illinois	★	...	...	...	...	...	...	...	...	...	...	...	...
Indiana	★	...	...	...	★	★	...	...	...	...	...	★	(d)
Iowa	★	...	★	★	...	...	...	...	...	(e)	...	★	...
Kansas	★	★	...	...	...	...	...	...	...	$40	★	★	...
Kentucky	★	...	...	...	★	...	...	...	...	...	...	★	(f)
Louisiana	★	★	★	★	★	★	★	...	★	...	...	★	...
Maine	★	...	...	...	★	★	...	...	...	$25	...	...	...
Maryland	★	★	...	...	★	★	★	...	...	...	...	★	(g)
Massachusetts	★	★	...	...	★	...	...	...	...	...	...	★	...
Michigan	★	★	...	★	★	★	★	...	...	...	...	★	(a)
Minnesota	★	★	...	★	...	★	★	...	...	...	...	★	(h)
Mississippi	★	...	...	...	...	...	...	...	...	...	...	★	...
Missouri	★	★	★	★	★	★	★	...	...	...	...	...	(i)
Montana	★	...	...	★	...	★	...	...	...	...	...	...	...
Nebraska	★	...	...	...	...	...	...	...	...	...	★ (j)	★	...
Nevada	★	...	★	★	...	★	★	...	...	$100	★	★	(k)
New Hampshire**	★	...	...	...	★	...	...	...	...	...	...	...	...
New Jersey	★	★	...	...	...	...	...	...	...	...	...	...	...
New Mexico*	★	...	...	...	...	...	...	...	...	...	...	★	...
New York	★	★	...	...	★	★	★	...	...	...	...	★	...
North Carolina	★	...	...	(l)	...	...	...	...	★	...	...	★	...
North Dakota	★	...	...	...	★	★	★	...	...	...	...	★	...
Ohio	★	★	...	...	★	★	...	...	...	...	...	★	...
Oklahoma	★	★	...	...	★	★	...	...	...	...	...	★	(m)
Oregon	★	...	★	★	...	★	★	...	...	...	(n)	★	...
Pennsylvania*	★	★	...	...	★	...	...	...	...	...	...	...	...
Rhode Island*	★	...	...	...	...	...	...	...	...	...	...	...	...
South Carolina	★	★	...	★	...	...	...	★	...	...	★	★	...
South Dakota	★	...	...	★	...	...	...	★	★	...	★	★	...
Tennessee	★	★	...	★	...	★	...	...	...	...	...	...	...
Texas	★	★	★	★	★	★	★	...	...	...	...	...	...
Utah	★	★	★	★	★	★	★	...	★	...	★	★	...
Vermont	★	★	...	★	★	★	...	...	...	...	...	★	...
Virginia*	★	...	...	★	★	★	★	...	...	...	...	★	(o)
Washington	★	★	★	★	★	★	★	...	...	...	...	★	...
West Virginia	★	★	...	...	★	★	...	...	...	...	...	...	...
Wisconsin	★	★	...	★	...	★	★	...	...	...	...	...	...
Wyoming	★	...	...	★	...	...	...	...	...	...	...	...	(p)
Dist. of Columbia*	★	★	...	...	★	★	★	...	...	$100	...	...	...

See footnotes at end of table.

Table 3.33
SUMMARY OF SUNSET LEGISLATION

State	*Scope*	*Preliminary evaluation conducted by*	*Other legislative review*	*Other oversight mechanisms in bill*	*Phase-out period*	*Life of each agency (in years)*	*Other provisions*
Alabama	C	Select Jt. Cmte.	Dept. of Examiners of Public Accounts	Zero-base budgeting	180	4	One-hour time limit on floor debate on each bill.
Alaska	C	Legis. Auditor	. . .	Perf. audit	1/y	Varies (usually 4)	. . .
Arizona	S	Off. of the Auditor General	Legislative cmtes. of reference	Perf. audit	6/m	10	Jt. Legis. Oversight Cmte. selects agencies for review and assigns responsibilities for hearings to the legis. cmtes. of reference.
Arkansas	(a)	. . .	. . .	. . .	. . .	. . .	. . .
California	(b)	. . .	. . .	. . .	. . .	. . .	. . .
Colorado	R	Dept. of Regulatory Agencies	Off. of State Auditor	. . .	1/y	10 (sometimes 5)	Advisory cmtes. are reviewed at least once after establishment; some boards and commissions are also reviewed.
Connecticut	(c)	. . .	. . .	. . .	. . .	. . .	. . .
Delaware	C	Agencies under review submit reports to Del. Sunset Comm. based on criteria for review and set forth in statute. Comm. staff conducts separate review	. . .	Perf. audit	Dec. 31 of next succeeding calendar year	4	Yearly sunset review schedules must include at least nine agencies. If the number automatically scheduled for review or added by the General Assembly is less than a full schedule, additional agencies shall be added in order of their appearance in the Del. Code to complete the review schedule.
Florida	R	House Regulatory Reform Cmte. and appropriate substantive cmte. in the Senate	Subject area committees handle some sunset review	Perf. audit, progress review	. . .	10	Automatic repeal if legislature fails to reenact legislation by a specific date.
Georgia	R	Dept. of Audits	Standing cmtes.	Perf. audit	1/y	1-6	A performance audit of each regulatory agency must be conducted at least once every six years (d).
Hawaii	R	Legis. Auditor	Consumer Protection Cmte. of each house	Perf. eval.	None	6-10	Schedules the various professional and vocational licensing programs for repeal according to a specified timetable. Proposed new regulatory measures must be referred to the Auditor for sunrise analysis.
Idaho	(b)	. . .	. . .	. . .	. . .	. . .	. . .
Illinois	R	Bur. of the Budget	. . .	. . .	2	10	. . .
Indiana	C	Off. of Fiscal and Management Analysis	. . .	Perf. audit, Perf. eval.	. . .	10	. . .
Iowa	No program						

See footnotes at end of table.

Key:
C — Comprehensive
R — Regulatory
S — Selective
D — Discretionary
d — day
m — month
y — year
. . . — Not applicable

SUNSET LEGISLATION—Continued

State	*Scope*	*Preliminary evaluation conducted by*	*Other legislative review*	*Other oversight mechanisms in bill*	*Phase-out period*	*Life of each agency (in years)*	*Other provisions*
Kansas	S	Cmte. of reference in each house	Legis. Post Audit Cmte.	Perf. audit	. . .	. . .	Sunset Act terminates July 1992. Auditing provisions listed here are part of a bill signed into law April 1992. The new legislation provides for 16 agencies to be audited once during an eight-year cycle or more frequently if the legislature desires. Abolition dates for agencies are not provided for in the new law.
Kentucky				No program			
Louisiana	C	Standing cmtes. of the two houses with subject matter jurisdiction	. . .	Zero budget review (e), Perf. eval.	1/y	Up to 9	Act provides for termination of a department and all agencies and offices in a department. Also permits committees to select particular agencies or offices for more extensive evaluation. Provides for review by Jt. Legis. Cmte. on Budget of programs that were not funded during the prior fiscal year for possible repeal.
Maine	C	Jt. Standing Cmte. on Audit & Program Review	. . .	Perf. eval., Perf. audit	1/y	Subject to review every 11/y	. . .
Maryland	R	Div. of Budget Review	Standing cmtes.	Perf. eval.	1/y	10	Sunset cycle reviews to be completed in 1993, and will resume again in 1996.
Massachusetts (f)				No program			
Michigan	(b)	. . .	. . .	. . .	. . .	. . .	. . .
Minnesota	(b)	. . .	. . .	. . .	. . .	. . .	. . .
Mississippi	(g)	. . .	. . .	. . .	. . .	. . .	. . .
Missouri				No program			
Montana	(b)	. . .	. . .	. . .	. . .	. . .	. . .
Nebraska	(b)	. . .	. . .	. . .	. . .	. . .	. . .
Nevada	(h)	. . .	. . .	. . .	. . .	. . .	. . .
New Hampshire	(i)	. . .	. . .	. . .	. . .	. . .	. . .
New Jersey	(b)	. . .	. . .	. . .	. . .	. . .	. . .
New Mexico	R	Legis. Finance Cmte.	. . .	Perf. eval., Progress review	(j)	5-7	Legis. Finance Cmte. is responsible for introducing legislation to continue any agency reviewed.
New York	(b)	. . .	. . .	. . .	. . .	. . .	. . .
North Carolina	(k)	. . .	. . .	. . .	. . .	. . .	. . .

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See footnotes at end of table.

SUNSET LEGISLATION—Continued

State	*Scope*	*Preliminary evaluation conducted by*	*Other legislative review*	*Other oversight mechanisms in bill*	*Phase-out period*	*Life of each agency (in years)*	*Other provisions*
North Dakota	No program						
Ohio	(b)	. . .	. . .	. . .	. . .	. . .	. . .
Oklahoma	R,C	Jt. Cmte. on Sunset Review	Appropriations and Budget Cmte.	Prog. review	1/y	6	Employees in an agency that is sunsetted but recreated after the 1/y phase-out period are placed in other agencies until the recreation of the sunsetted agency.
Oregon	C	Interim cmte.	Jt. Legis. Audit Cmte.	. . .	None	(l)	. . .
Pennsylvania (m)	S	Legis. Budget and Finance Cmte.	Standing cmtes.	Perf. audit	6/m	10	. . .
Rhode Island	(n)	. . .	. . .	. . .	. . .	. . .	. . .
South Carolina	R	Legis. Audit Council	Reorganization Comm., Standing cmtes.	Perf. audit	1/y	6	. . .
South Dakota	(o)	. . .	. . .	. . .	. . .	. . .	. . .
Tennessee	C	Jt. Government Operations Cmte.	. . .	Perf. audit	1/y	1-8	Sunrise review provision 1/y after creation of entity.
Texas	S	Sunset Advisory Comm.	. . .	Perf. eval.	1/y	12	The Sunset Advisory Comm. chair and vice-chair rotate every two years between the House and Senate. Members can serve a total of six years and are not eligible for reappointment.
Utah	R	Interim study cmte.	Off. of Legis. Research & General Counsel	Interim cmte's discretion	1/y	Up to maximum of 10/y	Legis. Audit Cmte. may at its discretion coordinate the audit of state agencies with the interim cmte.'s sunset review.
Vermont	S	Legis. Council staff	Senate and House Government Operations Cmtes.	. . .	None	. . .	Reviews only focus on the need for regulation of professions and occupations. Statutory preference is for the least restrictive form of regulation necessary to protect the public.
Virginia	(p)	. . .	. . .	. . .	. . .	. . .	. . .
Washington	C	Legis. Budget Cmte.	Standing cmtes.	. . .	1/y	Varies	. . .
West Virginia	S	Jt. Cmte. on Govt. Operations	Legis. Post Audit Div.	Perf. audit	1/y	6	Jt. Cmte. on Govt. Operations composed of five House members, five Senate members and five citizens appointed by governor. Agencies may be reviewed more frequently.
Wisconsin	(b)	. . .	. . .	. . .	. . .	. . .	. . .
Wyoming	(q)	. . .	. . .	. . .	. . .	. . .	. . .

Key:
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d — day
m — month
y — year
. . . - Not applicable

See footnotes at end of table.

SUNSET LEGISLATION—Continued

Source: The Council of State Governments' survey, March 1992.

(a) A one-time review of selected programs ended in 1983.

(b) While they have not enacted sunset legislation in the same sense as the other states with detailed information in this table, the legislatures in California, Idaho, Michigan, Minnesota, Montana, Nebraska, New Jersey, New York, Ohio, and Wisconsin have included sunset clauses in selected programs or legislation.

(c) Sunset suspended in 1983. Next review cycle is scheduled for 1995.

(d) As of April 21, 1992, legislation has been passed by the legislature and awaits the governor's signature that would eliminate the automatic sunsetting of boards every six years. The new legislation would require the legislature to pass a bill in order to sunset a specfic board.

(e) No longer applicable because zero-based budgeting is no longer part of the budget process.

(f) Sunset legislation has been introduced and is under consideration in the 1992 session.

(g) Sunset Act terminated December 31, 1984.

(h) Nevada law provided for a one-cycle pilot program under which three agencies were reviewed in 1980. No further expansion of the law has been enacted.

(i) New Hampshire's Sunset Committee was repealed July 1, 1986. A task force was established in February 1992 to make recommendations to the legislature on establishing a new program.

(j) Agency termination is scheduled on July 1 of the year prior to the scheduled termination of statutory authority for that agency.

(k) North Carolina's sunset law terminated on July 30, 1981. Successor vehicle, the Legislative Cmte. on Agency Review, operated until June 30, 1983.

(l) Review is specified to take place no more than every eight years. An agency is not automatically repealed if it is not affirmatively continued. Only four of the more than 35 agencies subject to sunset review have a specific repeal date in the law.

(m) Sunset act terminated December 22, 1991. A bill reauthorizing sunset has been introduced and is under consideration for the 1992 session.

(n) Sunset activity is currently inactive.

(o) South Dakota suspended Sunset in 1979.

(p) By joint resolution, Senate and House of Delegates establish a schedule for review of ''functional areas'' of state government. Program evaluation is carried out by Jt. Legislative Audit and Review Commission. Agencies are not scheduled for automatic termination. Commission reports are made to standing committees which may conduct public hearings.

(q) Wyoming repealed Sunset in 1988.

LOBBYISTS: AS DEFINED IN STATE STATUTES—Continued

Source: The Council of State Governments, Council on Governmental Ethics Laws' survey, April 1992 (preliminary data); except * where information is from *Campaign Finance, Ethics and Lobby Law, 1988*, The Council of State Governments, Council on Governmental Ethics Laws; and ** where information is from *Campaign Finance, Ethics and Lobby Law, 1990*, The Council of State Governments, Council on Governmental Ethics Laws.

Key:

★ — Application exists

. . . — Not applicable

(a) Lobbyists making gifts in excess of the following thresholds to state officials: California, $10 per month per official; Connecticut, $50 per gift, $150 for food and drink; Michigan, $36 per month per official.

(b) Giving of fees and honorarium banned; "necessary expenses" allowed.

(c) Offering or proposing anything which may be reasonably construed to improperly influence a legislator's official acts, decisions or votes.

(d) Legislative officials, full-time public officials or employees may not receive compensation for lobbying.

(e) Expenditures in excess of $35 per official in any one calendar day.

(f) Offer of anything of value or by any other improper method.

(g) Lobbyist cannot solicit, serve on committees or transmit funds relating to legislative elections. By order of the speaker of the House and president of the Senate, legislators cannot hold fundraisers during the legislative session.

(h) Commercial use of information on all disclosure programs filed with the Ethical Practices Board.

(i) Employment of non-registered lobbyists.

(j) If over $50 per month.

(k) Instigating the introduction of legislation for the purpose of obtaining employment to lobby in opposition thereto. Making false statements or misrepresentation to legislators or in a registration report concerning lobbying activities. Except during specified periods, acting as a lobbyist without being registered.

(l) State government agency liaisons lobbying on issues concerning their agency (no fee).

(m) May not knowingly make a false statement or representation of fact to legislative, judicial or executive branches; nor knowingly provide, to same, a copy of a document which contains a false statement without written notification of such; nor appear, during session, on the floor of the House or Senate in the absence of an express invitation.

(n) During regular session.

(o) Lobbying in violation of provisions of Senate; making any payment of money or consideration of any kind, or obligating to do so, in connection with lobbying, unless payment or obligation is fully disclosed to the Secretary of the Commonwealth; misrepresenting in any material or omitting any information required to be reported to the Secretary of the Commonwealth.

(p) Lobbying without registering.

Table 3.35
LOBBYISTS: REGISTRATION AND REPORTING

State or other jurisdiction	Agency which administers registration and reporting requirements for lobbyists	Frequency	*Disclosures required in lobbyist reports*							
			Legislation/administrative action seeking to influence	Expenditures benefiting public officials or employees	Compensation received [broken down by employer(s)]	Total compensation received	Categories of expenditures	Total expenditures	Contributions received from other for lobbying purposes	Other
Alabama	Ethics Comm.	Monthly (a)	★	. . .	. . .	. . .	★	. . .	. . .	. . .
Alaska	Public Offices Comm.	Monthly (b)	★	★	★	★	★	★	. . .	. . .
Arizona*	Secretary of State	Annually (c)	. . .	(d)	. . .	. . .	. . .	. . .	. . .	. . .
Arkansas	Ethics Comm.	Monthly and quarteriy	. . .	. . .	. . .	. . .	★	★	. . .	. . .
California	Fair Political Practices Comm.	Quarterly	★	★	★	★	. . .	★	★	(e)
Colorado*	Secretary of State	Monthly	★	★	★	. . .	★	. . .	. . .	. . .
Connecticut	State Ethics Comm.	Monthly (a, f)	★	(g)	★	★	★	★	. . .	(h)
Delaware	Legislative Council	Quarterly	. . .	★	. . .	. . .	★	★	. . .	. . .
Florida	Jt. Legislative Mgt. Cmte.	Semi-annually	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .
Georgia*	Off. of Secretary of State	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Hawaii	State Ethics Comm.	Semi-annually	★	★	. . .	★	★	★	★	. . .
Idaho	Secretary of State	Monthly (a) and annually	★	★	. . .	. . .	★	★	. . .	. . .
Illinois	Secretary of State	April, July and year end	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .
Indiana	Secretary of State	Semi-annually	★	★	. . .	. . .	★	★	. . .	(i)
Iowa	Secretary of Senate, Clerk of House	Monthly (j)	★	★	. . .	. . .	. . .	★	. . .	. . .
Kansas	Comm. on Govtl. Standards & Conduct	(k)	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .
Kentucky	Attorney General	After session	. . .	. . .	★	. . .	★	★	. . .	. . .
Louisiana	Dept. of State	Biennially	★	★	. . .	. . .	★	★	. . .	. . .
Maine	Secretary of State	Monthly (a) and after session	★	★	★	★	. . .	★	. . .	. . .
Maryland	Ethics Comm.	Semi-annually	★	★	★	★	★	★	(l)	. . .
Massachusetts	Secretary of State	Semi-annually	★	★	★	★	★	★	. . .	. . .
Michigan	Dept. of State	Semi-annually	★	★	. . .	. . .	★	★	. . .	(m)
Minnesota	Ethical Practices Bd.	Three times a year	★	★	. . .	. . .	★	★	★	(n)
Mississippi	Secretary of State	Annually and after session	. . .	★	★	★	. . .	★	★	. . .
Missouri	Clerk of House, Secretary of Senate	Semi-annually and monthly (a)	★	★	. . .	. . .	★	★	. . .	(o)
Montana	Commr. of Political Practices	. . .	★	★	★	★	★	★	(p)	. . .
Nebraska	Accountability & Disclosure Comm.	Monthly (a, q)	★	★	. . .	★	★	★	(r)	(s)
Nevada	Legislative Counsel Bureau	Monthly (a) and after session	. . .	★	. . .	. . .	★	★	. . .	. . .
New Hampshire**	Secretary of State	Quarterly	★	★	★	. . .	★	. . .	. . .	. . .
New Jersey	Election Law Enforcement Comm.	Annually and quarterly	★	★	★	★	★	★	★	. . .
New Mexico*	Secretary of State	After session	. . .	★	. . .	. . .	★	★	. . .	. . .
New York	State Comm. on Lobbying	Quarterly	★	. . .	★	★	★	★	. . .	. . .
North Carolina**	Secretary of State	After session	. . .	. . .	(t)	. . .	★	. . .	. . .	. . .
North Dakota	Secretary of State	Annually	. . .	. . .	. . .	. . .	. . .	. . .	. . .	(u)
Ohio	Jt. Cmte. on Agency Rule Review	Every four months	★	★	. . .	. . .	. . .	★	. . .	(v)
Oklahoma	Ethics Comm.	Biennially	. . .	★	. . .	. . .	. . .	. . .	. . .	(w)
Oregon	Govt. Ethics Comm.	(x)	★	. . .	★	. . .	★	★	. . .	. . .
Pennsylvania*	Clerk of House, Secretary of Senate	Semi-annually	. . .	★	. . .	. . .	★	. . .	. . .	. . .
Rhode Island*	Secretary of State	(y)	★	. . .	★	★	★	★	. . .	. . .
South Carolina	Secretary of State	Semi-annually	★	★	★	★	★	★	★	. . .
South Dakota	Secretary of State	After session	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Tennessee	Registry of Election Finance	Semi-annually	. . .	★	. . .	. . .	★	. . .	. . .	. . .
Texas	Ethics Comm.	Monthly and annually	★	★	★	★	★	★	. . .	. . .
Utah	Lieutenant Governor	After session and annually	. . .	. . .	. . .	★	. . .	★	. . .	. . .
Vermont	Secretary of State	Semi-annually (z)	★	★	★	★	. . .	★	. . .	. . .
Virginia	Sec. of Commonwealth	After session	★	★	★	★	★	★	★	. . .
Washington	Public Disclosure Comm.	Monthly	★	★	★	. . .	★	★	. . .	. . .
West Virginia	Ethics Comm.	After session and annually	. . .	★	. . .	. . .	★	★	. . .	. . .
Wisconsin	Ethics Board	. . .	★	. . .	★	★	★	★	. . .	(aa)
Wyoming	Legislative Service Office	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	(bb)
Dist. of Columbia**	Bd. of Elections & Ethics	Biennially	★	★	★	★	★	★	★	. . .

See footnotes at end of table.

LOBBYISTS: REGISTRATION AND REPORTING—Continued

Source: The Council of State Governments, Council on Governmental Ethics Laws' survey, April 1992 (preliminary data); except * where information is from *Campaign Finance, Ethics and Lobby Law, 1988*, The Council of State Governments, Council on Governmental Ethics Laws; and ** where information is from *Campaign Finance, Ethics and Lobby Law, 1990*, The Council of State Governments, Council on Governmental Ethics Laws.

Key:

★ — Application exists

. . . — Not applicable

(a) During legislative session.

(b) During legislative session, quarterly thereafter.

(c) Also monthly during those months in which any single expenditure exceeds $25.

(d) Entertainment expense.

(e) Campaign contributions made; lump sum reporting of overhead and other payments in connection with lobbying activities.

(f) Also, first, second and fourth quarters.

(g) In detail, if over $10 per person.

(h) Fundamental terms of lobbying contracts.

(i) Compensation and reimbursement to others, receptions, entertainment, administrative overhead expenses, and administrative staff salaries.

(j) In the Senate, reports are required only if $15 or more is provided to senators or their staff on any one day.

(k) February, March, April, May, September, and December.

(l) To a limited extent.

(m) Financial transactions between registrant and public official; members of the official's family or business with which they are associated.

(n) Metropolitan governmental unit action seeking to influence.

(o) Business relationships with public officials.

(p) If over $250.

(q) Also, at end of legislative session and after end of interim between sessions.

(r) Must report names and addresses of persons giving more than $100.

(s) Disclosure of honoraria or other money loaned, promised or paid to official or staff of legislative or executive branches of state government.

(t) Only if lobbyist is not a full-time employee for employer nor on annual retainer.

(u) Any expenditure over $25 per occasion.

(v) Categories of expenditures exceeding thresholds.

(w) By whom the lobbyist is reimbursed, retained or employed to lobby, and on whose behalf the lobbying is done.

(x) Even-numbered years: January 31, July 31; odd-numbered years: January 31, April 30, July 31.

(y) At specified times during legislative session and at end of legislative session.

(z) January 25, March 25 and July 25.

(aa) Daily record of time spent on specific area; daily record of payments made by organization for lobbying.

(bb) Name and firm only.

CHAPTER FOUR

STATE JUDICIAL BRANCH

THE STATE OF THE JUDICIARY

By Kenneth G. Pankey Jr.

Synopsis

The 50 state judicial branches are diverse and evolving systems attempting to serve the ends of justice in an ever-changing society. As the workhorses of our nation's justice system, state courts handle five times the number of appeals and 100 times the number of civil and criminal trial court cases filed in federal courts in recent years.[1]

Faced with an increasing workload and limited resources, state courts are struggling to handle their responsibilities efficiently without compromising the quality of judgments rendered. However, determining which characteristics of size, structure and procedure are best for state courts is complicated by the fact that those characteristics vary among and within states. Comparisons are difficult and lessons hard to apply universally. Moreover, even when the "best" characteristics are identified, inadequate resources often force the courts to settle for something less.

Finding adequate resources is a problem state courts face even when economic conditions are good and government coffers full. In the recessionary economy, sharing in state and local budget reductions, courts have been forced to cut staff and services; the collection of larger fines and fees has assumed a higher priority. And the courts, which have traditionally isolated themselves from the politically active legislative and executive branches, are turning to interaction — sometimes confrontational, more often cooperative — to maintain or improve operations, help shape public policy and plan for the future.

State courts are embracing new processes and technologies in the administration of justice. Mediation, arbitration and other alternative dispute resolution processes have been added to traditional court litigation as a means of settling disputes. New technologies — computers, fax machines, closed circuit television and videotape recorders, to name a few — are gradually becoming a standard part of court operations. These and other technologies may perform an even larger role in courts of the future.

Still, judge and jury remain at the heart of the traditional adjudicative process. Recent U.S. Supreme Court decisions have addressed state judicial elections and mandatory retirement and have touched on issues surrounding juror selection and privacy. These and similar issues must be seriously considered for their potential influence on the fairness of those who render decisions in state judicial systems.

In the latter half of this century, state courts have become increasingly active participants in societal policies and activities, and have come under greater scrutiny as a result. Public perceptions of and access to the courts have become prominent social issues. Moreover, the courts face new challenges presented by the sick and disabled. In response, the courts have taken steps to identify and correct unfair biases in their own personnel and procedures.

Court Administration

The fair and expeditious handing of disputes requires knowledgeable staff who can perform a variety of complex activities, including: processing cases; notifying parties, attorneys and witnesses of significant case information; assisting the judge in reviewing pleadings and preparing decisions; assembling a jury and tending to its needs; and

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maintaining the physical facilities of the courthouse and providing security to those within it. Many of these duties are set by statute or court rules and must be performed to specific standards. With individual courts employing hundreds of staff, and state court systems, thousands, the fiscal and personnel needs of many courts require management staff on the scale of a large corporation.

Caseload Trends

State courts are busier than ever.[2] Comparisons of the 1990 trial court caseload statistics with those of the previous six years indicate a continued cycle of growth, with percentage increases in the double digits.[3] Over this seven-year period, the caseload growth rate exceeded the national population growth rate, which was only five percent.[4] Such figures are of interest to those who argue the nation is and has been experiencing a caseload "explosion," a fact that has long been in dispute.

Trial Courts

Caseload trend studies reveal several interesting facts. For example, the total caseload levels in state trial courts are strongly correlated with state population.[5] However, the fact that a perfect correlation does not exist indicates that other factors, such as social, economic and legal forces, also affect filing rates.[6] Moreover, the underlying composition of the major trial court caseload categories — civil, criminal and juvenile — is very similar across states.[7] Despite differences in jurisdictional and environmental factors, such as crime rates, law enforcement practices and social conditions, the business of the state courts is about the same.[8]

The growth trends among general civil cases (i.e., tort, contract and real property rights[9]) also are significant. Contrary to popular belief, tort filings are not increasing at a faster rate than other major categories of civil filings. Data from the period 1984-89 reveal that the most notable increases in general civil caseloads have tended to be for real property rights cases and contracts cases, not torts.[10] This pattern mirrors developments from 1960 to 1988 in the federal district courts, in which contracts and other business-related filings increased at rates many times those of tort filings.[11] Moreover, while the increase in contracts and real property rights filings has been rather steady, the increase in tort filings has been uneven, with the greatest recent increases occurring between 1985 and 1986. Most of the variation in tort filing rates probably is associated with specific legislative changes that were enacted by states during the second wave of major tort reform.[12]

The most notable trend emerging from criminal case statistics is the substantial increase in felony[13] filings. Since 1984, total felony filings increased over 50 percent.[14] In state courts, it is unclear whether this increase is directly attributable to drug-related cases and "get tough" approaches to crime.[15] However, given the fact that federal drug cases increased at more than four times the rate for all federal criminal offenses between 1980 and 1990, a connection is probable.[16] The significance of this caseload rise is in the pressure it exerts on the state courts of general jurisdiction.[17] Felony cases place the greatest demands on court staff and resources and are most likely to be heard at the general jurisdiction court level.[18]

Appellate Courts

Rising caseloads also are evident in the state appellate courts. Among states with a court of last resort and a permanent intermediate appellate court,[19] the caseload pressures on the two levels are fundamentally different. While courts of last resort face increases in discretionary petitions,[20] which constitute the majority of their caseloads, intermediate appellate courts face increases in mandatory appeals,[21] the majority of their caseloads.[22] With mandatory appeals in intermediate appellate courts accounting for 62 percent of the total appellate filings in 1990, intermediate appellate courts encounter the greatest pressure from rising caseloads. In states without an intermediate appellate court, the court of last resort faces caseloads and pressures resembling those of the intermediate appellate courts in other states.[23]

Other features of appellate caseloads also are notable. As in the case of trial courts, there is a strong correlation between the number of appeals filed in a state and the state's population.[24] Yet judicial resources are not keeping pace with this growth.[25] And while the number of appeals filed has been increasing, so has the complexity of the average appeal.[26] These growth patterns threaten to overwhelm the courts and raise important questions about how the courts can maintain the quality of justice rendered.

Caseflow Management

While additional resources would undoubtedly increase the courts' potential to handle increasing caseloads, considerable effort is being made to ensure that existing resources are used as efficiently as possible without compromising due process requirements. Ample evidence exists to support the argument that "effective case management is important in reducing case processing times."[27]

Trial Courts

Since the 1970s, many studies have been devoted to effective case management. The call for early and continuous control by the court over the scheduling of case events is a recurring theme in this literature. "Control" refers to close oversight of the discovery process, early resolution of pretrial motions, and establishment of a firm trial date policy.[28] Such court control increases the pace of litigation regardless of the size of the pending caseload per judge and is especially helpful in reducing the age of a court's oldest cases.[29] In jurisdictions where strong case management exists, there is evidence of shorter disposition times on both the felony and civil sides of the court docket.[30]

Strategies for achieving the greatest return from existing resources differ from court to court, according to the subject matters they handle and the nature and extent of their resources. Some strategies are more universally applicable than others. Coordination of the activities of those involved in the justice system is likely to benefit most courts.[31] Establishing case processing goals, also called time standards, may be helpful as well.[32] At this writing, more than half of the states have adopted such goals at the trial level.[33] New technologies offer many avenues for improving court operations, offering time, space, and ultimately, cost savings. New methods of handling and resolving disputes, such as differentiated case management[34] and alternative dispute resolution, are also being explored. One point that has been demonstrated in studies by the National Center for State Courts is the need for clear goals and strong, knowledgeable leadership — without which the other elements of good caseflow management may never develop or, if available, may not be used.[35]

Appellate Courts

As in the case of trial courts, researchers and court practitioners are trying to determine what principles of case management apply to appellate courts. Evidence indicates that the principles learned from the study of trial courts have clear parallels in appellate case processing.[36] Currently, however, the application of these principles is hampered by the lack of adequate information systems upon which management decisions can be based. Nevertheless, appellate courts across the country are making adjustments to improve case processing and avoid being overwhelmed by increasing workloads.[37]

Especially among intermediate appellate courts, modification of the traditional appellate process is a common tactic for expediting case processing. These modifications include expedited briefing procedures, use of oral argument in lieu of briefs, submission on the briefs without oral argument, waiver of requirements for written majority opinions for cases decided on the merits, and unpublished opinions.[38] In many intermediate appellate courts, most oral arguments are heard by panels, usually of three judges, rather than by the entire court.[39] Judging from the experiences of states where studies have been conducted, traditional appellate procedures can be modified without affecting quality.[40]

Court Unification

Efforts to improve the state courts' responsiveness to modern demands is not limited to management improvements within individual courts. Over the past few decades, state courts have been undergoing system-wide efforts to improve court operations and ensure a uniform level of service to the public. This broad reform movement is referred to as court unification. Although there are many facets to the reforms, their general aim is to centralize judicial authority and accountability and to consolidate court structure.[41]

Currently, no state court system is totally unified, and the degree of system unification varies among states. Within states, some aspects of court operations reflect more unification than others; however, this mixture is not necessarily bad. A system that is too unified may become inflexible and lose advantages offered by local adaptability to change and responsiveness to unique needs. Consequently, the optimum degree of court unification is a matter of balance between state and local interests, and that balance will vary according to the characteristics of each state.[42]

Perhaps the "hottest" debate in court unification concerns state funding of the court system, the primary argument for which is ensuring equal distribution of resources.[43] While states traditionally have funded appellate courts and the highest levels of state court administration, trial courts have experienced a mixture of state and local funding. Generally, the lower the level in a court system hierarchy, the greater the percentage of local funding.[44] Although some states have shifted to state funding of the entire judicial system,[45] most have not because of opposition at the state and/or local level.[46] Pressures that have developed over the past decade, coupled with the current recession, suggest that some local courts will be unable to operate and that court systems as a whole may be crippled or severely compromised without greater funding from the state.[47]

Finances

Ever-increasing workloads and the national recession have caught state courts between a rock and a hard place. Even as court systems accept their need for more state assistance to handle the increasing amount and complexity of their work, budget shortfalls are forcing states to reduce appropriations. As a result, court systems that could easily justify higher appropriations are being asked or told to make do with less.

To make ends meet, state courts are cutting expenses and seeking additional revenues wherever they can. The less serious cuts include reduced training for and travel by judges and court staff, leaving authorized jobs unfilled, halting traditional free coffee, danish and lunch for jurors and reducing days served on jury duty. However, some state courts have taken more drastic measures, including suspending civil jury trials for several months, cutting wages, laying off employees and having pay-less workdays or designated days of leave without pay.[48] Even judgeships have been affected.[49]

Courts are trying to improve their collection rates and raise revenues by various methods including making payment more convenient for the public,[50] reminding offenders of their outstanding fines[51] and toughening efforts to track scofflaws and reach their assets.[52]

However common in practice, though, the tendency to seek higher revenues through increases in court fines, fees and other charges is suspect in principle. While perpetuating the assumption that court systems should make money,[53] the tactic rarely results in courts getting to keep all, if any, of the monies they do collect.[54] The more serious implications include placing the courts in the position of serving as revenue collectors for the state, and imposing on many civil litigants and criminal defendants fee amounts and surcharges that bear no relation to the court services rendered them or the penalties prescribed for their offenses. Such assessments threaten public access to the courts and are fundamentally unfair.[55]

Currently, appropriations for the judiciary average approximately 1 percent of the total state budget.[56] As a result, little money can be saved by slashing the judiciary's budget. Better solutions may be found if the three branches work together to meet the budget crisis in a way that will not jeopardize the fulfillment of the judiciary's constitutional obligations.

Interbranch Relations

As state judicial systems have become more unified and more dependent on state appropriations, relations between the judicial and other branches of government have shifted. Traditionally, the judiciary has attempted to isolate itself from the legislature and executive agencies, ostensibly so that justice would not be influenced by politics. Not surprisingly, though, this isolation did not foster understanding or good relations between the branches. Yet, as long as the courts operated as separate dominions and could support themselves on fine revenues and court costs, there was insufficient impetus for change. Now, court unification and state financing are making the courts more accountable to the other branches — and more vulnerable.

Today, state judiciaries find themselves competing with interest groups and government agencies for pieces of a limited budget pie, and most are finding themselves ill-equipped for the task. Having been isolated for so long, the courts are neither familiar nor comfortable with the political process and the necessity of year-round lobbying. And although the courts receive attention for overturning or "misinterpreting" a law or releasing a criminal defendant "on a technicality," the other branches are generally unfamiliar with the operations and obligations of the justice system.

Faced with such tough circumstances, some state judicial branches have attempted to force their legislative and executive counterparts to supply adequate funds for court operations.[57] Others reportedly have considered similar action but have resisted resorting to such extremes. While confrontations are not unprecedented,[58] those involving the highest representatives of the three branches of government are extremely rare. Furthermore, such conflicts may only resolve short-term problems while creating long-term intergovernmental discord that the courts can no longer afford.

Most state court systems are seeking constructive methods for obtaining necessary resources. Recognizing that improved communication between the branches of government is fundamental to avoid unnecessary conflict, minimize the harmful effects from necessary conflicts, and create mechanisms for mutual assistance, representatives of the state judicial branches have begun meeting regularly with representatives of other branches, particularly the state legislatures.[59] Many suggestions for improvement have been offered.[60] State and national bar organizations also have been helpful, offering to serve as liaisons between the judicial and legislative branches and supporting other cooperative procedures.[61] Such cooperative efforts between the judiciary and other branches of government offer the best long-term hope for meeting the needs of state courts.

Alternative Dispute Resolution

Among the avenues state courts are exploring to improve the quality and delivery of justice to the public is alternative dispute resolution. Alternative dispute resolution is the collective term for a wide range of processes that serve as alternatives to traditional trial adjudication. The most familiar of these alternative processes are mediation and arbitration, but others, such as conciliation, early neutral evaluation, private judging, advisory settlement conferences, mini-trials and summary jury trials also are included. Alternative dispute resolution can be used apart from traditional adjudication or may be integrated as a complement to traditional processes.[62]

The wide range of alternative dispute resolution options allows disputing parties to find a process that best meets their needs. Another potential advantage of alternative dispute resolution lies in the neutrals who decide or facilitate the settlement of disputes. Whereas most judges in the United States have generalized legal knowledge, the neutral third parties found in alternative dispute resolution may have specialized knowledge with respect to the disputes they handle. When dispute resolution processes are closely matched to the persons and subject matter in disputes, settlements may be reached more quickly, at lower costs, and with greater participant satisfaction and compliance than would otherwise be possible in traditional processes. Nevertheless, no single alternative dispute resolution process is suitable for all cases and all jurisdictions.[63]

Alternative dispute resolution programs are widespread. The Comprehensive State Alternative Dispute Resolution Program Database of the National Center for State Courts has information about court-operated and court-referred programs in all but four states (Mississippi, Nebraska, West Virginia and Wyoming), and it is probable that a few programs exist in those states as well. The highest concentration of court-affiliated programs, however, is generally found among the more populated states, especially California, Michigan, New Jersey and New York. Most alternative dispute resolution programs handle more than one type of case and offer more than one type of service, although mediation and arbitration are the most common.[64] While scarcity of funds has slowed the growth and spread of these programs, increasing knowledge about alternative dispute resolution and its continuing popularity should encourage greater use in the future.

Many questions regarding the use of alternative dispute resolution remain unresolved. Apart from those about which process is best in certain circumstances, courts must wrestle with whether parties should be forced to participate in such programs.[65] Others revolve around the minimum qualifications a mediator, arbiter (or arbitrator) or other neutral should have and what ethical standards should apply to him or her.[66] Concerns have been raised about whether private judging services (e.g., Judicial Arbitration & Mediation Services; Judicate; and Endispute, Inc.) are luring the best judicial minds away from the courts and threatening to create a two-tiered justice system — a private one for the rich, and a public one for the poor. These and similar issues are being studied by the state courts, and the lessons learned will guide the use of alternative dispute resolution in the future.

Technology

As in many areas of modern society, technology offers opportunities for improvement in the courts. Automated information systems offer advantages in the storage and access of data, resulting in space and time savings for the courts and those who use them. There are now multiple software packages designed to automate the docketing, case assignment and financial management functions of courts.[67] Computer-literate researchers can access information about court dockets, individual cases, child support payments and others by touching a few buttons, rather than wading through mountainous files (or having court personnel do so).[68] Caselaw, court rules and statutes that would fill many shelves of a library can be stored and searched quickly using computers.[69]

New and innovative computer systems are being implemented in the state courts, and as a result, additional needs have been recognized. The Los Angeles Municipal Court has developed an automated imaging system that simplifies traffic citation processing and provides better service to the public.[70] In a three-year project to establish the first near paperless court, court administrators in Brevard County, Fla., are testing an imaging system that will ultimately grant the judge, defense attorney, prosecutor and court clerk instant access to all documents in criminal cases.[71] With the spread of computer systems in the courts, law enforcement agencies, and the legal community has come a need for a common language, referred to as an electronic data interchange, to transfer information between different systems. For this purpose, a judicial electronic data interchange committee has been formed to promulgate standards for the courts.[72]

The facsimile machine also is seeing increased use in the courts. Several states now authorize the use of fax machines for various aspects of court business.[73] Originally, some of these courts restricted fax use to business not requiring fees, and some stipulated that plain-paper original documents subsequently had to be filed in the court.[74] Now, however, Minnesota allows the filing of any document by fax, and most states allow fax copies to serve as "original" documents.[75] While the latter development is likely to remain the trend as plain-paper fax machines become more affordable, the use of fax machines for all documents is complicated by the need to account for and collect fees when a fax has been used.[76] Courts also allow the use of fax machines to provide notice of compliance in garnishments, for statewide service of papers on an attorney, and even to issue warrants authorizing blood alcohol tests.[77]

Two-way audio-visual communication equipment also is becoming more common in state courts. Closed circuit and microwave links between courthouses and confinement facilities allow first appearances, arraignments, bail-bond reviews, and sentencing without transferring prisoners to courthouses. Such systems can produce considerable savings in security staff time and transportation expenses, savings that can defray high start-up costs[78] and greatly reduce security risks to courts and confinement facility personnel.[79] The Minnesota Supreme Court has tested similar conferencing systems for use in civil commitment hearings conducted by the state Department of Human Services.[80]

The use of video recording equipment to make trial records is gradually increasing in lieu of conventional means of court reporting, such as stenography.[81] The most significant issue facing court systems considering the adoption of video court reporting is whether videotape or a transcript made from such a tape will serve as the record on appeal.[82] As technology improves and makes the review of video court records faster and more convenient, objections to videotape may decrease. In the meantime, the number of vendors capable of supplying video reporting systems is increasing, improving the availability of systems to courts that have the resources and desire to use them.

The Judge

As of 1990, there were approximately 1,189 appellate judges and justices and 27,559 trial judges serving the state courts.[83] Requirements and qualifications for judicial service and methods of judicial selection vary among and within states. Most state justices and judges must now be law-trained although this is not always the case in courts of limited jurisdiction. Many states also require a minimum number of years in legal practice or as a member of the state bar. Age and residency requirements are common.[84] Methods of selection include partisan and nonpartisan election, gubernatorial appointment, legislative election or appointment, and judicial selection. In at least one court level in 33 states and the District of Columbia, judicial nominating commissions recommend candidates for appointment to judicial offices.[85]

Recent U.S. Supreme Court decisions have answered some long-standing questions about the applicability of the Voting Rights Act of 1965 to judicial elections. In *Clark v. Roemer*,[86] decided June 3, 1991, the Court held that Section 5 of the Voting Rights Act was applicable to challenged judicial elections in Louisiana. Section 5 requires that covered jurisdictions (primarily in southern states) obtain approval or "preclearance" from the U.S. Attorney General or from the District Court for the District of Columbia before implementing new voting practices.[87] In two other decisions, *Chisom v. Roemer*[88] and *LULAC v. Clements*[89] (also known as *Houston Lawyers' Assn. v. Texas Attorney General*), the Supreme Court held that Section 2 of the Act, as amended in 1982, applies to judicial elections as well. Consequently, state legislatures must restructure their electoral systems to avoid dilution of minority votes for judges.[90] The long-term effects of these three decisions may not only be greater representation of minorities on the bench but also a "new impetus to the adoption of merit selection plans in the remaining states where judges are elected."[91]

In another recent decision, *Gregory v. Ashcroft*,[92] the U.S. Supreme Court held that mandatory retirement of state judges is a permissible exercise of state authority. Prior to this decision, courts were divided as to whether provisions of the federal Age Discrimination in Employment Act (ADEA) were applicable to state judges. Although language in the 1974 amendments to the act seemed to exclude elected state judges from coverage, it was unclear before *Gregory*, whether appointed state judges also were excepted. In *Gregory*, the Court recognized that while Congress is not precluded from reaching into the domain of state government (leaving an opening for extension of the ADEA or other federal laws to protect state judges), it must use unambiguous language to do so.[93]

A matter of perennial concern to state courts and anyone interested in the quality of justice in the state courts is judges' compensation. If ultimate justice rests in the hands of judges, then it is in society's interest for them to be individuals whose legal knowledge, work habits and character are of the highest caliber. Accepting this premise, one must understand the importance of setting judicial compensation "sufficiently high so as to attract the most able attorneys to the bench and to retain experienced judges."[94]

Although state judges receive various types of compensation,[95] salary is the most significant. State judicial salaries vary far more from state to state than can be attributed to any relevant differences in their work responsibilities.[96] The lower ranges of judicial salaries are less than the salaries of first-year associates at some of the nation's larger law firms. If candidates for the bench can more reasonably be compared to partners at larger law firms, then state judicial salaries should be more competitive with law firm profits, which can average well over $200,000 per partner.[97]

Although accepting public service, with its admitted opportunities for prestige and power, often means accepting sacrifices in pay, the low status of many judicial salaries is a serious matter that state courts are working to improve. Better funding for the judicial branch, improved relations with the other branches of government, and greater public understanding of the problem may help rectify the situation.

The Jury

After judges, juries are the most important decision-making bodies in the justice system. The jury is intended to function as a fact-finding body, lending courts the viewpoints and wisdom of the "common man." In the United States, modern practice calls for jurors to be representative of a cross-section of the community served by the court and to have no predisposed judgments regarding the cases they hear. Justice is believed best served by a decision-making body that is as fair and open-minded as possible toward the parties whose evidence is presented.

In the interests of the judicial process and those who serve as jurors, changes are occurring in juror selection, their treatment, and their manner of carrying out the fact-finding role. In the selection process, courts first try to gather as large a pool of prospective jurors as possible, increasing the odds of having a diverse cross-section of the community. Fourteen states, and local jurisdictions in another seven, use multiple sources to compile their lists of prospects. Voter registration lists and telephone directories are common sources, but driver's license lists are becoming increasingly popular. In 13 states, driver's license lists are the only source of prospective jurors.[98]

Courts also are trying to make jury service more convenient so that prospective jurors will be more willing to serve. Service that requires long periods away from work, with the potential loss of income, is a reason for many complaints about jury duty and attempts to avoid service. One remedy now used by some courts is a one-day, one-trial term of jury duty.[99] Changing methods of juror compensation also may encourage service. Instead of using flat, daily rates of compensation, more states are adopting the Massachusetts model, which eliminates fees during the initial period of jury service (often three days, during which each juror's employer is required to maintain its employee's pay), then paying a high fee for any additional service days.[100] Such efforts should help ensure that jury composition includes well-educated, gainfully employed citizens.

The process by which jurors ultimately are chosen for individual trials also has been undergoing scrutiny. This process, *voir dire*, involves preliminary examination of those called for jury service, the veniremen, to determine if any relation, interest or other characteristic would make them unqualified to serve as jurors in a specific case. In this effort to detect any biases that individuals may have, the parties to a case may ask very personal questions about veniremen's lives. Because this process is open to the public,[101] the courts are concerned about protecting juror privacy. Standards have been drafted to address this and other juror-related issues.[102]

Parties may use a limited number of peremptory challenges to exclude veniremen they suspect of bias, but about whom they lack sufficient proof to sustain an automatic exclusion through challenges for cause. In recent years, the U.S. Supreme Court has declared that certain uses of peremptory challenges are unconstitutional. In 1986, in *Batson v. Kentucky,*[103] the Court held that prosecutors may not use peremptory challenges to exclude members of the defendant's race from the jury if race were the true reason for the exclusion. In 1991, the Court extended this decision in *Powers v. Ohio*[104] and *Edmonson v. Leesville Concrete Co., Inc.*[105] In *Powers*, the Court held that exclusion because of race was improper even if the excluded prospective jurors belonged to a different race than the defendant. In *Edmonson*, the Court held that private (i.e., civil) litigants may not exercise race-based peremptory challenges either. The Court did not find a constitutional violation in *Hernandez v. New York,*[106] in which a prosecutor excluded two bilingual, Hispanic jurors out of fear that they would not accept the court interpreter's translation as final. In these cases, the Court recognized that racial discrimination in jury selection casts doubt on the integrity of the judicial process, places the fairness of the proceedings in doubt, and violates a juror's constitutional rights under the Equal Protection Clause.[107] The state courts are waiting to see to what extent *Batson* applies to discriminatory peremptories based on a potential juror's religion or gender or to discriminatory peremptories exercised by a defense attorney in a criminal case.

Once a jury has been selected, the state courts have an interest in how the jurors perform their fact-finding role. The quality of juror performance is understandably affected by how well they understand and remember evidence. Historically, jurors have been required to sit quietly and listen to the evidence. Although asking questions and taking notes may not have been prohibited, such conduct was not encouraged. Now state courts are beginning to study the advantages of allowing questioning and note-taking by jurors. While most states have left the issues to the trial judge's discretion, the Wisconsin legislature has passed a law that requires judges to allow note-taking by jurors unless the judge states a reason on the record. In Illinois and California, judges regularly permit note-taking and questioning.[108] Experience and research indicate that such practices offer definite advantages, and that long-feared disadvantages, while real, are not unmanageable.[109]

The Court and Society

Even as state courts have become less isolated from the other branches of government, the courts' role in society has grown. With millions of cases filed annually, the state courts have a unique opportunity to affect the course of people's lives in the areas of criminal justice, domestic relations, remediation of personal injuries, enforcement of contracts and the guarantee of basic human rights. The responsibilities of state courts, relative to those of the federal courts, are increasing as the federal diversity jurisdiction limit is raised[110] and as parties seeking to expand civil liberties bring cases to state courts under state constitutional law rather than to the U.S. Supreme Court.[111]

Increasing internal and public awareness of the state courts' importance has sparked initiatives aimed at achieving and maintaining high levels of court performance. To guide these efforts, the National Center for State Courts and the Bureau of Justice Assistance of the U.S. Department of Justice completed Trial Court Performance Standards in 1990. The standards and accompanying commentary are divided into five areas: access to justice; expedition and timeliness; equality, fairness and integrity; independence and accountability; and public trust and confidence. Many state court reform efforts in past years have been directed toward achieving goals expressed in some of the standards. However, while prior efforts often have concentrated on court resources and processes, the standards — in their interrelated areas of concern — shift the focus of improvement efforts to society's ultimate interest — achieving justice.[112]

Many state court reform initiatives reflect the growing sensitivity to ensuring that justice is uniform. To identify and remedy inequalities, several state court systems have established task forces on gender bias[113] and racial/ethnic bias.[114] Courts also are trying to eliminate biases and physical barriers that affect the disabled.[115] Fair and safe treatment of those infected with the AIDS virus is included in these efforts, although court policies are not consistent and reflect continued ignorance of this disease.[116] To accommodate the hearing-impaired and the increasing number of U.S. residents who cannot speak English, many states are developing standards and programs for training, certifying and using court interpreters.[117] Overall, state courts are working to become more responsive to the needs and concerns of all members of society.

As the courts seek to improve service to all elements of society, they are assigning higher priorities to cooperation and planning. In addition to better interbranch cooperation, which has been described above, state courts seek a more productive relationship with federal courts. By sharing ideas and resources, state and federal courts can improve judicial responses to issues that include the optimum allocation of state and federal responsibility for handling growing caseloads; the appropriate strategy for dealing with the problems of drugs, crime, and social injustice; and the improvement of adjudicative processes.[118] State courts are recognizing the need to identify and plan responses to social trends. This is reflected in the establishment of several futures commissions by state judiciaries.[119] The importance that state courts are assigning to future thinking may be interpreted as an acceptance of their larger role in society and as a promise to meet their responsibilities well in the foreseeable future.

Conclusion

State judicial systems are evolving. Courts face mounting pressures from workload size and complexity, and limited monetary resources restrict their ability to respond to these changing demands. Nevertheless, the courts are responding by increasing efficiency and expertise, adapting new technologies to court needs and integrating new processes for the resolution of disputes, breaking out of historical isolation to form new governmental alliances, and opening doors to the full spectrum of modern society. In their efforts, the state courts are supported by the National Center for State Courts, the American Bar Association, the National Judicial College, and a host of other organizations and interest groups conducting research, organizing conferences, offering consulting services, teaching, lobbying and generally pursuing the ends of justice. The state courts are an integral part of our nation's system of government, and society's confidence in and esteem for that system depends in no small part upon the state courts' continuing ability to administer justice.

Notes

[1] *State Court Caseload Statistics: Annual Report 1989* (Williamsburg, Va.: Conference of State Court Administrators and National Center for State Courts, 1991), p. 3 [hereinafter cited as *Report 1989*]. These ratios remained relatively constant during 1990, according to information in the "Overview" from *State Court Caseload Statistics: Annual Report 1990*, to be released in the spring of 1992 [hereinafter cited as *Report 1990*].

[2] *Report 1990*. In 1990, the most recent year for which national figures have been compiled, over 100 million cases were filed in state courts. In state appellate courts, there were 237,000 mandatory appeals and discretionary petitions. The remaining cases were filed in trial courts: 18.4 million civil cases, 13.0 million criminal cases, 1.5 million juvenile cases, and 67.5 million traffic or other ordinance violation cases.

[3] *Id.* "Since 1984, civil caseloads have risen by 30 percent, criminal caseloads by 33 percent, juvenile caseloads by 28 percent, and traffic caseloads by 12 percent."

[4] *Id.*

[5] *Id.* "Ten or fewer states account for a majority of civil, criminal, and juvenile filings, although the states with the largest civil filings are not necessarily the same as the states with the largest criminal or juvenile filings."

[6] *Id.*

[7] *Id.* For example, among civil cases, domestic relations cases are the most numerous, followed by general civil cases (i.e., tort, contract, and real property rights). Although the specific percentage of domestic relations cases may vary from court to court, that subcategory is consistently the largest.

[8] *Id.*

[9] Tort cases are generally legal actions resulting from an injury or wrong committed either against a person or against a person's property. Contract cases are a class of cases involving a dispute over a promissory agreement between two or more individuals or organizations. Real property rights cases involve cases arising out of the ownership, use, or disposition of land or real estate. *See* entries in the *State Court Model Statistical Dictionary: 1989 Edition* (Williamsburg, Va.: Conference of State Court Administrators and National Center for State Courts, 1989).

[10] *Report 1989*, p. 46. Information for 1990 shows that this pattern continues. *Report 1990.*

[11] American Bar Association, Division for Communications and Public Affairs, "Facts About The American Civil Justice System," *The Journal of the Kansas Bar Association*, December 1991, at 11. *See also* Administrative Office of the U.S. Courts, *Annual Reports of the Director*; Marc Galanter, "The Life and Times of the Big Six; or, The Federal Courts Since the Good Old Days," 1988 *Wis. L. Rev.* 921 (1988).

[12] *Report 1989*, pp. 46-47.

[13] A felony is a serious criminal offense for which the minimum period of incarceration is typically one year or more. *State Court Model Statistical Dictionary 1989*, p. 34.

[14] *Report 1990.*

[15] With few exceptions, most jurisdictions lack statistical routines or have routines that are too new to provide reliable data on the volume of drug and drug-related matters. Conference of Chief Justices (CCJ) and Conference of State Court Administrators (COSCA), Advisory Committee on Drug Issues Affecting State Judicial Systems, *Drug Issues Affecting State Judicial Systems: Briefing Papers*, July 1991 (Williamsburg, Va.: National Center for State Courts (NCSC), 1991), p. 4-2.

[16] "Facts About The American Civil Justice System," at 15. *See also* Administrative Office of the U.S. Courts, Annual Reports of the Director.

[17] Courts of general jurisdiction are the major trial courts in a court system. These are the primary courts of record from which one has a right of appeal to the state intermediate appellate court or court of last resort. *State Court Model Statistical Dictionary 1989*, p. 18.

[18] *Report 1989*, p. 46; *Report 1990.*

[19] In 1991, Nebraska became the 38th state to create a permanent intermediate appellate court. The court is expected to hear its first cases in 1992. Statistics reported in *Report 1990* were generated when only 37 states had permanent intermediate appellate courts.

[20] Discretionary petitions are cases for which an appellate court must first decide whether to grant a petition for review. Only those cases which are granted review receive full consideration in the manner of a mandatory appeal. The crucial significance for these cases is that the appellate court is not obligated to hear them or decide them on the merits. *State Court Model Statistical Dictionary 1989*, pp. 28-29.

[21] Mandatory appeals, or "appeals of right," are cases which the appellate court must hear and decide on the merits. *Id*, p. 41.

[22] *Report 1990.*

[23] *Id.*

[24] *Report 1990.*

[25] Between 1984 and 1989, total caseloads grew in both courts of last resort and intermediate appellate courts. Over the same period, there were no increases in the number of court of last resort justices, and the 9.5 percent growth in IAC judges fell short of the rise in filings. *Report 1989*, p. 49.

[26] "As the number of cases has grown, so has the range of complexity. Increasing numbers of complex cases, especially death penality [sic] litigation, require substantial expenditure of judicial time." Rita M. Novak and Douglas K. Somerlot, *Delay On Appeal: A Process for Identifying Causes and Cures* (Chicago: American Bar Association, 1990), p. 2.

[27] John A. Goerdt, *Reexamining the Pace of Litigation in 39 Urban Trial Courts* (Williamsburg: NCSC, 1991), p. 1.

[28] *Id*, p. 67.

[29] John Goerdt, *Examining Court Delay: The Pace of Litigation in 26 Urban Trial Courts*, 1987 (Williamsburg: NCSC, 1989), p. xiv.

[30] Goerdt (1991), p.65.

[31] For example, earlier guilty pleas and trial dates can be obtained through greater cooperation among pretrial services staff, the prosecutor, defense attorneys, limited jurisdiction courts, and general jurisdiction courts. *Id.*, p. 67.

[32] "Although standards are not mandatory, they do provide a means for identifying cases at variance with stated 'appropriate' disposition times. Standards help provide courts monitoring their delay reduction efforts with a more precise evaluation of the progress made. To the extent that

reasonable goals are met, courts can say they have eliminated, or reduced to a minimum, unnecessary delays in the handling of cases." Howard P. Schwartz, *Case Processing Goals* (Topeka, Kansas: Kansas Judicial Center, 1988), p. 1.

[33] These jurisdictions are Alabama, Alaska, California, Connecticut, Delaware, the District of Columbia, Florida, Hawaii, Idaho, Iowa, Kansas, Massachusetts, Michigan, Minnesota, Nebraska, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Rhode Island, South Carolina, Texas, Vermont, Virginia, and West Virginia. A few states, including Idaho, New Mexico, and Virginia, have adopted case processing goals at the appellate level. Others may have standards that apply to select periods of the trial or appellate process. From unpublished data, National Center for State Courts, Information Service (1992).

[34] Differentiated case management is a means of sorting cases in the early stages of litigation and assigning them to processing tracks that will move each case to conclusion using a set of procedures, informational support, speed, and resources that are appropriate to that track. Cases are commonly sorted on the basis of complexity, which may be determined from factors including case type, amount in controversy, number of parties, and attorneys' assessments of the time needed to dispose of the case. Differentiated case management has been tested in courts in several jurisdictions, including Alaska, California, Connecticut, the District of Columbia, Kentucky, Massachusetts, Michigan, Minnesota, New Jersey, and Washington, and has been applied to civil and criminal cases. Holly Bakke and Maureen Solomon, "Case Differentiation: An Approach to Individualized Case Management," 73 *Judicature* 17 (June-July 1989); Thomas A. Henderson, Janice Munsterman, and Robert Tobin, *Differentiated Case Management: Final Report* (Arlington, Va.: NCSC, Washington Project Office, 1990), pp. 1-2.

[35] William E. Hewitt, Geoff Gallas, and Barry Mahoney, *Courts That Succeed: Six Profiles of Successful Courts* (Williamsburg: NCSC, 1990), p. xiii.

[36] Joy A. Chapper and Roger A. Hanson, *Intermediate Appellate Courts: Improving Case Processing, Final Report* (Williamsburg: NCSC, 1990), p. vii. *See also* Section 3.50, *Standards Relating to Appellate Delay Reduction* (Chicago: American Bar Association, 1988).

[37] Chapper and Hanson, pp. vi-vii.

[38] Chapper and Hanson, p. vi; "Table 5: Use of Expediting Procedures in State Appellate Courts, 1987," from *State Court Organization 1987* (Williamsburg: NCSC, 1988), pp. 111-19.

[39] "Hearing of Oral Arguments by State Appellate Courts," NCSC Information Service staff memorandum IS 89.0967 (1990).

[40] Chapper and Hanson, p. vii.

[41] The facets of court unification are usually distilled into four dimensions (or five, depending upon whether state financing is counted as separate from the budget process). The four are simplified organizational structure (court consolidation), centralized management, centralized rulemaking, and centralized budget process and state financing. Thomas A. Henderson and Cornelius Kerwin, *Structuring Justice: The Implications of Court Unification Reforms: Policy Summary* (Washington, DC: U.S. Dept. of Justice, National Institute of Justice, 1984), p. 4; Victor E. Flango and David B. Rottman, "Measuring Trial Court Consolidation" (to appear in a 1992 issue of *The Justice System Journal*).

[42] Henderson and Kerwin, pp. 84-86.

[43] John K. Hudzik, Ph.D., *The Effects of State Financing: Summary Findings From The Four-State Study* (Williamsburg: NCSC, 1990), p. 20.

[44] "Table 15: Indicator Items Totally Funded by the State to Trial Courts, 1987," *State Court Organization 1987*, pp. 209-20.

[45] Among these are Iowa, Massachusetts, Oregon, and California. Hudzik, p. 1.

[46] At the state level, legislators are understandably concerned about the consequences of adding additional items to the state budget. Complicating matters is a perhaps endemic underestimation of local court expenditures when the state has been willing to finance elements of local court operations. Such underestimation leads predictably to bad press, sour relations, and near permanent underfunding. Although localities may have motives for consciously underestimating costs, underestimation is more likely associated with the intangible nature of many court costs and the variations in local accounting practices and tracking capacities. Hudzik, pp.18-20. Resistance in localities can be attributed to matters of control and revenues. Local judges and government officials see state court funding as just another instance of state government interference with the way matters have always operated — resistance to change as much as to accountability to the state. Further, local governments have not wanted to surrender the revenues that have historically come from court fines and fees. Ron Zimmerman, "Dollars and Sentences: The Fiscal Seduction of the Courts," *State Court Organization*, Fall 1990, 19.

[47] In part, this state of affairs is a natural consequence of workloads that have grown faster than resources. However, the situation is also the outgrowth of massive changes in the balance of costs

and revenues in trial courts and municipalities. High monetary inflation in the late 1970s drove the direct costs of operating the courts beyond the revenues those courts produced from fines, fees, and other penalties. Federally-mandated requirements for housing prisoners and providing attorneys for the poor became more strict, raising indirect costs that had been thousands of dollars per year into millions per year by the late 1980s. At the same time, cities were hit by the loss of revenue sharing and the decrease of federal grant money. Now many courts cannot fund their own operations nor can they rely upon what most municipalities can afford to give them. Zimmerman, 20.

[48] NCSC Information Service, *Report On Trends In The State Courts* (July 1991), p. 3 [hereinafter cited as *Trends Report*]; Bruce Rutledge, “Tight Budgets in a Time of Recession,” *The Judges' Journal*, Summer 1991, 18, 18-19.

[49] In Massachusetts, retired judges who were working temporarily were fired. In Virginia and Rhode Island, judicial salaries were cut. *Trends Report*, p. 3; Rutledge, at 18. [Author's note: The “cut” in Virginia was actually a voluntary decision by 92 percent of Virginia's judges to give up a scheduled 2 percent salary increase.]

[50] These strategies include allowing payments by installments and credit cards and accepting payments at lock boxes. NCSC Information Service, “Collection & Enforcement of Fines and Fees” (IS 89.1959). Recently, Broward County (Ft. Lauderdale), Fla. has experimented with technology analogous to automatic teller machines. “Broward Plans to Revolutionize Fine Payments,” *The Judicial Forum*, September 1991, at 1. San Diego County, Calif. is taking the court to the people with a customized van that serves as a mobile traffic office. Susan McRae, “Van Makes Paying Tickets Convenient — If Not Fun,” *The Los Angeles Daily Journal*, April 19, 1991.

[51] Computer generated postcards, personal visits by court or probation officers, and private telemarketing firms have all been used successfully. “Collection & Enforcement of Fines and Fees.”

[52] These methods include turning uncollected accounts over to collection agencies, which may track offenders across state lines and attack their credit ratings; suspending drivers licenses; and using social security numbers to identify and intercept offenders' income tax refunds. “Collection & Enforcement of Fines and Fees‘; Rutledge, 39.

[53] As has been explained earlier, most trial courts are now far beyond any hope of operating in the black from what they collect in fine and fee revenues. Furthermore, perpetuation of this myth results in gross misunderstanding on the part of the executive and legislative branches of what constitutes effective court performance. Zimmerman, 21.

[54] Instead, the revenues are assigned to a host of accounts whose beneficiaries (e.g., retirement funds of public officials, public schools, law enforcement training, etc.) may have little or no bearing on law enforcement, much less the courts. Zimmerman, 21; Rutledge, 40; NCSC Information Service.

[55] In 1986, the Conference of State Court Administrators (COSCA), an organization composed of the chief administrative officers of the judicial systems of the 50 states, the District of Columbia, and the national commonwealths and territories, adopted standards relating to court costs. The standards affirm that fees and miscellaneous charges should not preclude access to the courts (Standard 2.2), nor should they serve as an alternative form of taxation (Standard 2.4). The standards flatly condemn the establishment of surcharges (Standard 3.1). The comments explain that purposes that serve the public good should not be dependent on such fluctuating sums as the courts are able to collect, nor should the burden of the public good be placed disproportionately on those seeking their constitutional right of access to the courts. Rather, worthwhile purposes should be funded from a broader general revenue source through the normal appropriation process. COSCA, *Standards Relating to Court Costs: Fees, Miscellaneous Charges and Surcharges and A National Survey of Practice* (1986).

[56] In 1988, state government total direct expenditures for judicial and legal services averaged 1.3 percent. If legal services were not included, the figure would be approximately 1 percent. The average total expenditure for police protection, judicial and legal services, and corrections was 6.1 percent. *Bureau of Justice Statistics Bulletin: Justice System Expenditure and Employment, 1988* (Washington, DC: Bureau of Justice Statistics, 1990), p.6.

[57] In the autumn of 1991, litigation in both New York and Florida attacked the legislative and executive branches' authority with respect to appropriations for the court system. The New York suit was settled in January 1992. Although the Florida suit was decided against the executive branch by the Florida Supreme Court, the separation of powers controversy in that state was still an issue in February 1992. NCSC Information Service.

[58] For most of our nation's history, usually in cases between state trial judges and local officials, the state courts have asserted the right, under the

doctrine of inherent powers, to compel payment of such operating expenses as were necessary for their reasonable operations. John C. Cratsley, *Inherent Powers of the Courts* (Reno, Nevada: The National Judicial College, 1980), p. 29.

[59] The largest such meeting to date was a conference entitled "Legislative-Judicial Relations: Seeking a New Partnership," held in October 1989. The conference had 253 participants representing 46 states, the District of Columbia, American Samoa, Guam, and the U.S. Virgin Islands. Smaller regional meetings have been organized by the National Center for State Courts (NCSC) and the National Conference of State Legislatures (NCSL) following this national meeting, and efforts within individual states are ongoing. Nancy C. Maron, Linda K. Ridge, John Martin, and Carol Friesen, *Legislative-Judicial Relations: Seeking A New Partnership: Conference Summary Report* (October 1-3, 1989; Marriott City Center; Denver, Colorado), p. 3; NCSC Information Service.

[60] To increase opportunities for communication, formal and informal options have been encouraged, ranging from invitations for the state chief justice to deliver a regular state of the judiciary message before the legislature to greater interaction between judges and legislators at social occasions. To avoid misunderstanding of proper governmental activities, special orientation programs have been proposed for members of the different branches. To improve policy formulation and lawmaking, the creation of permanent staff positions or media through which judicial input may be given to the other branches has been supported. *Trends Report*, p. 14.

[61] NCSC Information Service. In 1991, the ABA House of Delegates approved a resolution calling for state and federal legislation that would require the preparation of judicial system impact statements. Such statements would be appended to proposed legislation throughout the legislative process if that legislation has an identifiable and measurable effect on state or federal courts. "Judicial Impact Statement Resolution Adopted By ABA," *Trial Judges News*, November 1991, 2.

[62] COSCA Committee On Alternative Dispute Resolution, *Report To The Membership* (December 1, 1990) [hereinafter cited as *COSCA ADR Report*], p.4. ADR programs that are administered and funded by the courts are said to be "court operated" or "Court-annexed." "Court-referred" or "court-sponsored" programs operate outside the control of the court but are linked to it by referrals or funding. Private programs have no formal ties to the court and are totally autonomous. *Id*, p. 3.

[63] "What may work well in one jurisdiction may not work well in another because of varying levels of funding, program capacities, commitment of the judges, and cooperation of the local bar." *Id*, p. 7.

[64] Court-operated programs most often report handling custody/visitation, contracts, and tort disputes. In court-referred programs, these same casetype categories are still prevalent, but landlord tenant, small claims, and minor criminal case categories are equally as common. NCSC, Information Service, Comprehensive State ADR Program Database.

[65] Voluntary ADR programs may not be worth instituting because participation is historically low. Low participation may be attributable to attorney or party reluctance to risk the unfamiliar. Susan Keilitz, "A Court Manager's Guide to the Alternative Dispute Resolution Database," *State Court Journal*, Fall 1990, at 24, 28. On the other hand, mandatory programs will handle more cases but cannot guarantee that the parties will participate wholeheartedly. If unwilling parties contest the arbiter's award or fail to reach an agreement in mediation, the combination of ADR and a trial would be more lengthy and costly than if the parties had gone straight to trial. *COSCA ADR Report*, p. 7.

[66] *See generally* "Report of the SPIDR Commission on Qualifications," *Dispute Resolution Forum*, May 1989; Margaret Shaw, "Mediator Qualifications: Report of a Symposium on Critical Issues in Alternative Dispute Resolution," 12 *Seton Hall Legislative Journal* 17 (1988); Christopher Honeyman, "On Evaluating Mediators," 6 *Negotiation Journal* 23 (1990); Brad Honoroff, David Matz, and David O'Connor, "Putting Mediation Skills to the Test," 6 *Negotiation Journal* 37 (1990); Divorce And Family Mediation: Standards of Practice (ABA, 1986); Nancy H. Rogers and Craig A. McEwan, *Mediation: Law/Policy/Practice* (Rochester, N.Y.: The Lawyers Co-operative Publishing Co., 1989).

[67] *Trends Report*, p. 20.

[68] *Id.*

[69] Systems such as LEXIS and WESTLAW are accessible over telephone lines and have been available for years. Using compact disk technology known as CD-ROM, similar information can be stored and accessed on a personal computer. The Michie Company of Charlottesville, Virginia has produced at least four compact disks of this type containing law of Virginia, New Mexico, Utah and Georgia. *Trends Report*, p.20; "Electronic version of Georgia Code available at no cost to judges," *Georgia Courts Journal*, February 1992, 1; Cary Griffith, "Michie's Virginia Law on Disc," *Information Today*, April 1992, 24, 26.

[70] Traffic tickets are fed into an optical disk scanner that copies the tickets' images and stores them on computer disks. An exact image of the ticket can then be viewed at a computer terminal, and copies can be printed as necessary. A single 12-inch optical disk can store over 40,000 traffic citations. Integrated with the court's Expanded Traffic Records System, which automates many traffic records operations previously done by hand, the imaging project has allowed drastic reduction of processing time for tickets handled in court. John Doktor, "Imaging of the Future," *Court Technology Bulletin*, July/August 1991, 1.

[71] The clerk will use a scanner to convert documents as they are received into optical disk images that are stored for future reference. The judge, defense attorney, prosecutor, and court clerk have separate workstations with which to access all information. "Paperless Courtroom Gets Closer to Reality in Brevard," *The Judicial Forum* (Florida), June 1990.

[72] "EDI in the Courts," *Court Technology Bulletin*, January/February 1991, at 1. The committee is composed of representatives from many major court and legal organizations and is chaired by Nuclear Regulatory Commission Chief Administrative Judge B. Paul Cotter. The committee has completed a position paper regarding the *Need for Judicial Electronic Data Interchange Standards*. NCSC, Technical Services.

[73] These states include California, Colorado, Florida, Idaho, Illinois, Massachusetts, Michigan, Minnesota, Missouri, Nevada, New York, Oregon, South Dakota, and Washington. *Trends Report*, p. 11; Susan Koenig, "Courts in the Fax Lane," *Court Technology Bulletin*, January/February 1991, at 3; NCSC Information Service memorandum "FAX Machines In Courts" (IS 89.2292).

[74] "FAX Machines In Courts" (IS 89.2292).

[75] *Trends Report*, p. 11.

[76] Collection of fees by credit card payment and third-party billing services have proven to be among the least burdensome alternatives. Susan Koenig, at 3.

[77] "FAX Machines In Court" (IS 89.2292).

[78] NCSC Information Service memorandum "Judicial Video Conferencing Systems" (IS 90.3064). In large municipalities where jails and courthouses are far apart, video conferencing systems can be especially cost-effective. *Trends Report*, p. 24.

[79] "Judicial Video Conferencing Systems" (IS 90.3064).

[80] The evaluation committee found that having psychiatrists appear by way of closed circuit television while the patient was in the courtroom still allowed evaluation of the physician's demeanor by those in the courtroom and was not prejudicial to any party. *Trends Report*, p. 24.

[81] Formerly limited to about 60 state courts, video court reporting has now become sufficiently widespread that obtaining an accurate reckoning of its use would be extremely difficult. *Id*, p.25.

[82] Although trial judges have been very pleased in their experiences with video court reporting, the appellate community has had mixed emotions about using a videotape rather than a written transcript. *Id*.

[83] These include 356 justices in the courts of last resort; 833 judges in intermediate appellate courts; 9,325 judges in general jurisdiction courts; and 18,234 judges in limited jurisdiction courts. Quasi-judicial officers (i.e. masters, referees, chancellors, and magistrates), part-time judges, and justices of the peace are included in many trial court figures supplied by the states. "Figure G: Number of Judges/Justices in the State Courts, 1990" from *Report 1990*.

[84] "Table 6: Appellate Justices and Judges: 1987 Requirements and Qualifications to Serve" and "Table 19: State Trial Court Judges: 1987 Requirements and Qualifications" from *State Court Organization 1987*.

[85] "Table 7: Method of Selection and Terms of State Appellate Court Justices/Judges, 1987," "Table 8: Description of Judicial Nominating Commissions, 1987," and "Table 20: Methods of Selection and Terms of State Trial Court Judges, 1987" from *State Court Organization 1987*.

[86] *Clark v. Roemer*, 500 U.S. __, 111 S. Ct. 2096 (1991).

[87] Title 42 United States Code, Section 1973(5).

[88] *Chisom v. Roemer*, __ U.S. __, 111 S. Ct. 2354 (1991).

[89] *LULAC v. Clements*, 500 U.S. __, 111 St. Ct. 2376 (1991).

[90] 42 U.S.C. § 1973 (2).

[91] R. Stanley Lowe, "Changes In Judicial Selection Laws Seen," *Lawyers Letters*, November 1991, at 9. Mr. Lowe notes that, in writing the majority opinion in *Chisom*, Justice Stevens stated a clear preference for merit selection and recited a number of objections to electing judges.

[92] *Gregory v. Ashcroft*, __ U.S. __, 111 S. Ct. 2395 (1991).

[93] Jeffrey M. Shaman, "Supreme Court Upholds Mandatory Retirement of State Judges," *Judicial Conduct Reporter*, Fall 1991, 1.

[94] "Judicial Salary Setting," *Survey of Judicial Salaries*, Winter 1992, at 1 (preliminary draft).

[95] Compensation may include retirement, disability, and death benefits; expense accounts; leave

for vacations, holidays, and sickness; and various forms of insurance coverage. *Id.*

[96] Salary information as of January 1, 1992 indicates:

'Salaries of associate justices of the highest courts range from $60,452 to $121,207, with a mean (average) salary of $88,537 and a median salary of $89,292.

'Salaries of judges of intermediate appellate courts range from $71,250 to $113,632, with a mean (average) salary of $87,509 and a median of $85,053.

'Salaries of judges of general jurisdiction trial courts range from $59,178 to $100,000, with a mean (average) salary of $79,501 and a median of $79,037. "Summary of Salaries," *Survey of Judicial Salaries*, Winter 1992, at 1.

[97] "What Lawyers Earn," *National Law Journal* (Special Report), May 6, 1991.

[98] Driver's license lists have been shown to be more representative of the population. They also tend to be more up-to-date. Their availability in computer form facilitates random selection procedures. *Trends Report*, p. 16.

[99] The one day, one trial option increases the administrative work of the courts because more citizens must be called to serve; however, the reduced term of service brings far less hardship, resulting in greater willingness to serve. *Id.*

[100] *Trends Report*, p.17; "Table 26: Compensation of Trial Jurors, 1987" from *State Court Organization, 1987.*

[101] *Press-Enterprises v. Superior Court of California*, 104 S. Ct. 819 (1984).

[102] The ABA approved *Standards Relating to Juror Use and Management* in 1983. Georgia, Arizona, and Louisiana adopted the *Standards* in 1990. West Virginia adopted them in 1991. Standard 7 (c) states that "[t]he judge should ensure that the privacy of prospective jurors is reasonably protected, and that questioning is consistent with the purpose of the voir dire process." The 1991 amendments to the "Commentary" indicate steps that judges may be able to take to prevent the disclosure of sensitive information.

[103] *Batson v. Kentucky*, 476 U.S. 79 (1986).

[104] *Powers v. Ohio*, 111 S. Ct. 1364 (1991).

[105] *Edmondson v. Leesville Concrete Co., Inc.*, 111 S. Ct. 2077 (1991).

[106] *Hernandez v. New York*, 111 S. Ct. 1859 (1991).

[107] Myrna S. Raeder, "After Batson . . . : Reshaping voir dire," *Criminal Justice*, Winter 1992, at 8, 10-11.

[108] *Trends Report*, p.16.

[109] Juror questions may occasionally uncover facts or circumstances that the lawyers overlooked or ignored. More often, questions allow the jurors to seek clarification of complex or confusing evidence. Questions and note-taking activity give the attorneys clues about how the jurors are reacting to evidence, providing input by which attorneys may modify their trial strategies. Although there is a danger that jurors may lose their neutrality or ask irrelevant or prejudicial questions, these problems can be avoided through careful judicial control. Philip H. Corboy, Sr., "Questioning by Jurors? A Tentative Yes," *Trial*, October 1991, at 20, 22. *See generally* Note, "Breaking the Silence: Should Jurors Be Allowed to Question Witnesses During Trial?" *Vanderbilt L. Rev.* 117 (1991); Comment, "Juror Questions: A Survey of Theory and Use," 55 *Missouri L. Rev.* 817 (1990).

[110] On May 18, 1989, the federal diversity jurisdictional limit was raised from $10,000 to $50,000. Consequently, all civil cases with amounts in controversy less than $50,000 that might previously have been brought in either the state or federal courts must now be brought in the state courts. Because the work requirements of state contract and tort and federal diversity cases are, with minor exceptions, comparable, each diversity case removed from the federal system is a case added to one of the state court systems. Carol R. Flango, "Caseload Burden in State and Federal Courts: Comparing State Court Tort and Contract Cases to Federal Diversity Cases," *State Court Journal*, Fall 1991, 10.

[111] This trend is deduced from statements of the American Civil Liberties Union, activities of abortion-rights groups, and unwillingness of the U.S. Supreme Court to extend 1st Amendment protections afforded members of minority religions. Debra L. Willen, "Now States Act As Champions For Religion," *The National Law Journal*, March 2, 1992, 15.

[112] Commission on Trial Court Performance Standards, *Trial Court Performance Standards With Commentary* (Williamsburg: NCSC, 1990).

[113] As of the summer of 1991, 31 states and the District of Columbia had established task forces on gender bias in the courts. Half of these task forces have issued final reports. California, Florida, Hawaii, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, Rhode Island, Utah, and Washington have entered the implementation phase of their efforts, working on legislative, procedural, and educational projects consistent with final report recommendations. *Trends Report*, p. 13.

[114] Task forces or committees that address the problem of racial/ethnic bias in the courts have been established in Arizona, California, the District of Columbia, Florida, Hawaii, Iowa, Massachusetts, Michigan, Minnesota, New Jersey, New York, and Washington. Preliminary and final reports of five task forces conclude that racial and ethnic bias exists in the courts and the legal profession. Bias manifests itself in such areas as legal representation, bar membership, prosecutorial discretion, the award of monetary damages in civil actions, the treatment of minorities in the courtroom, and the employment of minorities in the judicial system. *Trends Report*, pp. 18-19.

[115] The Americans with Disabilities Act (ADA) of 1990, Pub. L. No. 101-336, 104 Stat. 327 (1990), which applies to private and public entities (such as the state courts), prohibits discrimination against qualified disabled individuals. Not only does the ADA extend to the employment practices of the courts, but it also affects the programs, services, and activities of the courts. Consequently, the ADA, which became effective on January 26, 1992, will require special structural and procedural accommodations by the courts for disabled litigants, judges, jurors, attorneys, and others participating in the judicial process. NCSC Information Service memorandum "The Impact of the American with Disabilities Act on the State Courts" (IS 91.1105).

[116] Phillip A. Lattimore, III, "AIDS: Information and Recommendations to Assist Judges in Conducting Proceedings and Court Administrators in Managing the Workplace," *State Court Journal*, Winter 1991, 25.

[117] Arizona, California, Florida, Massachusetts, New Jersey, and New Mexico are leaders in efforts regarding court interpreters. Programs address and handle job specifications, qualifications, training courses, examinations, certification, appointment, standards for interpreted proceedings, compensation, and codes of responsibility and ethics. Court interpretation requires not only a full command of two languages, but also knowledge of courtroom procedure and legal vocabulary. The job of a court interpreter is not to abridge, editorialize, or reassure, but to interpret exactly every word that is spoken. *Trends Report*, p. 4.

[118] More than 350 appellate and trial judges, legislators, attorneys, and academics were scheduled to attend the Conference of State-Federal Relations to be held April 10 to 12, 1992, in Orlando, Fla. NCSC Washington Office.

[119] In 1989, court futures commissions completed initial work and offered recommendations in Arizona and Virginia. California, Colorado, Maine, Michigan, and Utah have followed with their own investigations of the future of the courts. Demographic, environmental, technological, and economic changes are studied and projected into the future to identify possible changes in society and its demands upon the courts. Commissions try to establish a vision of what future courts should be like that will serve as a guide to nuts and bolts planning in coming years. Clement Bezold, "On Futures Thinking and the Courts," *The Court Manager*, Summer 1991, at 4; *Trends Report*, p.12. Mr. Bezold attributes considerable momentum in the futures thinking movement to The Future and the Courts Conference in San Antonio, Texas, in May 1990, that was sponsored by the State Justice Institute and the American Judicature Society. Bezold, 4.

Table 4.1
STATE COURTS OF LAST RESORT

State or other jurisdiction	Name of court	Justices chosen (a)		No. of judges (b)	Term (in years) (c)	Chief justice	
		At large	By district			Method of selection	Term of service as chief justice
Alabama	S.C.	★		9	6	Popular election	6 years
Alaska	S.C.	★		5	10	By court	3 years (d)
Arizona	S.C.	★		5	6	By court	5 years
Arkansas	S.C.	★		7	8	Popular election	8 years
California	S.C.	★		7	12	Appointed by governor (e)	12 years
Colorado	S.C.	★		7	10	By court	At pleasure of court
Connecticut	S.C.	★		7	8	Nominated by governor, appointed by General Assembly	8 years
Delaware	S.C.	★		5	12	Appointed by governor with consent of Senate	12 years
Florida	S.C.	★		7	6	By court	2 years
Georgia	S.C.	★		7	6	By court	4 years
Hawaii	S.C.	★		5	10	Appointed by governor, with consent of Senate	10 years
Idaho	S.C.	★		5	6	By court	4 years
Illinois	S.C.		★	7	10	By court	3 years
Indiana	S.C.	★		5	10 (f)	Selected by judicial nominating commission from S.C. members	5 years
Iowa	S.C.	★		9	8	By court	Remainder of term
Kansas	S.C.	★		7	6	By seniority of service (g)	Remainder of term
Kentucky	S.C.		★	7	8	By court	4 years
Louisiana	S.C.		★	7	10	By seniority of service	Remainder of term
Maine	S.J.C.	★		7	7	Appointed by governor, with consent of Senate	7 years
Maryland	C.A.		★	7	10	Designated by governor	Remainder of term
Massachusetts	S.J.C.	★		7	To age 70	Appointed by governor	To age 70
Michigan	S.C.	★		7	8	By court	2 years
Minnesota	S.C.	★		7	6	Popular election	6 years
Mississippi	S.C.		★	9	8	By seniority of service	Remainder of term
Missouri	S.C.	★		7	12	By court	2 years
Montana	S.C.	★		7	8	Popular election	8 years
Nebraska	S.C.		★ (h)	7	6	Appointed by governor	Life
Nevada	S.C.	★		5	6	By seniority of service (i)	1-2 years
New Hampshire	S.C.	★		5	To age 70	Appointed by governor and Council	To age 70
New Jersey	S.C.	★		7	7 (j)	Appointed by governor, with consent of Senate	7 years (j)
New Mexico	S.C.	★		5	8	By court	2 years
New York	C.A.	★		7	14 (j)	Appointed by governor, with consent of Senate	14 years (j)
North Carolina	S.C.	★		7	8	Popular election	8 years
North Dakota	S.C.	★		5	10	By Supreme and district court judges	5 years (k)
Ohio	S.C.	★		7	6	Popular election	6 years
Oklahoma	S.C.		★	9	6	By court	2 years
	C.C.A.		★	5	6	By court	2 years
Oregon	S.C.	★		7	6	By court	6 years
Pennsylvania	S.C.	★		7	10	By seniority of service	Remainder of term
Rhode Island	S.C.	★		5	Life	By legislature	Life
South Carolina	S.C.	★		5	10	Joint public vote of General Assembly	10 years
South Dakota	S.C.		★ (l)	5	8	By court	4 years
Tennessee	S.C.	★		5	8	By court	18 months
Texas	S.C.	★		9	6	Popular election	6 years
	C.C.A.	★		9	6	Popular election (m)	6 years (m)
Utah	S.C.	★		5	10 (n)	By court	4 years
Vermont	S.C.	★		5	6	Appointed by governor, with consent of Senate	6 years

See footnotes at end of table.

STATE COURTS OF LAST RESORT—Continued

State or other jurisdiction	Name of court	Justices chosen (a)		No. of judges (b)	Term (in years) (c)	Chief justice	
		At large	By district			Method of selection	Term of service as chief justice
Virginia	S.C.	★		7	12	By seniority of service	Remainder of term
Washington	S.C.	★		9	6	By seniority of service	2 years
West Virginia	S.C.	★		5	12	By seniority of service	1 year
Wisconsin	S.C.	★		7	10	By seniority of service (o)	Remainder of term
Wyoming	S.C.	★		5	8	By court	2 years
Dist. of Columbia	C.A.	★		9	15	Designated by President (p)	4 years
American Samoa	H.C.	★		8 (q)	(r)	Appointed by Secretary of the Interior	(r)
Puerto Rico	S.C.	★		7	To age 70	Appointed by President with consent of Senate	To age 70

Sources: National Center for State Courts, *State Court Caseload Statistics: Annual Report 1990* (released 1992) and *State Court Organization 1987*; state constitutions and statutes.

Key:

S.C. — Supreme Court
S.C.A. — Supreme Court of Appeals
S.J.C. — Supreme Judicial Court
C.A. — Court of Appeals
C.C.A. — Court of Criminal Appeals
H.C. — High Court

(a) See Table 4.4, "Selection and Retention of Judges," for details.
(b) Number includes chief justice.
(c) The initial term may be shorter. See Table 4.4, "Selection and Retention of Judges," for details.
(d) A justice may serve more than one term as chief justice, but may not serve consecutive terms in that position.
(e) Subsequently, must run on record for retention.
(f) Initial two years; retention 10 years.
(g) If two or more qualify, then senior in age.
(h) Chief justice chosen statewide; associate judges chosen by district.
(i) If two or more qualify, then determined by lot.
(j) May be reappointed to age 70.
(k) Or expiration of term, whichever is first.
(l) Initially chosen by district; retention determined statewide.
(m) Presiding judge of Court of Criminal Appeals.
(n) Initial three years; retention 10 years.
(o) If two or more qualify, then justice with least number of years remaining in term.
(p) From list of nominees submitted by Judicial Nominating Commission.
(q) Chief judges and associate judges sit on appellate and trial divisions.
(r) For good behavior.

Table 4.2
STATE INTERMEDIATE APPELLATE COURTS AND GENERAL TRIAL COURTS: NUMBER OF JUDGES AND TERMS

State or other jurisdiction	Intermediate appellate court			General trial court		
	Name of court	No. of judges	Term (years)	Name of court	No. of judges	Term (years)
Alabama	Court of Criminal Appeals	5	6	Circuit courts	124	6
	Court of Civil Appeals	3	6			
Alaska	Court of Appeals	3	8	Superior courts	30	6
Arizona	Court of Appeals	21	6	Superior courts	116	4
Arkansas	Court of Appeals	6	8	Chancery courts and Circuit courts	98 (a)	(a)
California	Courts of Appeal	88	12	Superior courts	789	6
Colorado	Court of Appeals	16	8	District Court	110	6
Connecticut	Appellate Court	9	8	Superior courts	150	8
Delaware	. . .	. . .	. . .	Superior courts	15 (b)	12
Florida	District Court of Appeals	57	6	Circuit courts	421	6
Georgia	Court of Appeals	9	6	Superior courts	148	4 (c)
Hawaii	Intermediate Court of Appeals	3	10	Circuit courts	24	10
Idaho	Court of Appeals	3	6	District courts	33	4
Illinois	Appellate Court	38	10	Circuit courts	810	6
Indiana	Court of Appeals	13	10 (d)	Superior Court and Circuit courts	229	6
Iowa	Court of Appeals	6	6	District courts	115 (e)	6
Kansas	Court of Appeals	10	4	District courts	148 (f)	4
Kentucky	Court of Appeals	14	8	Circuit courts	91	8
Louisiana	Court of Appeals	48	10	District courts	194	6
Maine	. . .	. . .	. . .	Superior Court	16	7
Maryland	Court of Special Appeals	13	10	Circuit courts	116 (g)	15
Massachusetts	Appeals Court	14	(h)	Trial Court	320	(h)
Michigan	Court of Appeals	24	6	Circuit courts	200	6
Minnesota	Court of Appeals	15	6	District courts	241	6
Mississippi	. . .	. . .	. . .	Chancery courts	39	4
				Circuit courts	40	4
Missouri	Court of Appeals	32	12	Circuit courts	133 (i)	6
Montana	. . .	. . .	. . .	District courts	41	6
Nebraska	Court of Appeals	6	6	District courts	48	6
Nevada	. . .	. . .	. . .	District courts	37	6
New Hampshire	. . .	. . .	. . .	Superior Court	26	(h)
New Jersey	Appellate Division of Superior Court	28	7	Superior Court	359	7
New Mexico	Court of Appeals	7	8	District courts	59	6
New York	Appellate Division of Supreme Court	47	5 (h)	Supreme Court	568	14 (h)
	Appellate Terms of Supreme Court	15	5 (h)			
North Carolina	Court of Appeals	12	8	Superior Court	77	8
North Dakota	Court of Appeals (temporary)	3	. . .	District courts	27	6
Ohio	Court of Appeals	59	6	Courts of common pleas	344	6
Oklahoma	Court of Appeals	12	6	District Court	71 (j)	4
Oregon	Court of Appeals	10	6	Circuit courts	90	6
	Tax Court	1	6			
Pennsylvania	Superior Court	15	10	Courts of common pleas	342	10
	Commonwealth Court	9	10			
Rhode Island	. . .	. . .	. . .	Superior Court	21	Life
South Carolina	Court of Appeals	6	6	Circuit Court	31	6

See footnotes at end of table.

Table 4.3
QUALIFICATIONS OF JUDGES OF STATE APPELLATE COURTS AND GENERAL TRIAL COURTS

State or other jurisdiction	U.S. citizenship (years)		Years of minimum residence				Minimum age		Member of state bar (years)		Other	
			In state		In district							
	A	T	A	T	A	T	A	T	A	T	A	T
Alabama	5	5	(a)	(a)	...	1	25	25	★	★	...	...
Alaska	★	★	5 (a)	5 (a)	...	...	...	...	★ (b)	★ (b)	...	...
Arizona	...	...	10 (c)	5	3 (d,e)	...	30 (d)	30	10 (c)	5	(f,g)	(f,g)
Arkansas	★	★	2	2	...	...	30	28	(h,i)	(h,i)	(f)	(f)
California	...	...	...	...	...	...	...	...	10 (i)	10 (i)	...	...
Colorado	...	...	(e)	...	...	(e)	...	...	5	5	(g)	(g)
Connecticut	...	...	...	...	...	...	18	...	★	★	...	...
Delaware	...	...	(a)	(a)	...	...	...	...	(h)	(h)	...	...
Florida	...	...	(e)	(e)	★	★	...	...	10	5	(g)	(g)
Georgia	3	3	(a)	(a)	...	...	30	30	7	7	...	...
Hawaii	★	★	★ (a)	★ (a)	...	...	...	...	10	10	...	...
Idaho	★	★	2	2	...	(e)	30	30	★	(h)	...	...
Illinois	★	★	...	...	★	★	...	...	★	★	...	...
Indiana	★	★	...	...	★	★	...	...	10 (i)	★	...	...
Iowa	...	...	...	...	...	...	...	...	★	★	...	...
Kansas	...	...	...	...	...	★	30	30	★ (i)	★ (i)	...	...
Kentucky	★	★	2	2	2	2	...	...	8	8	...	...
Louisiana	...	...	5	...	2	2	25	...	5	5	...	...
Maine	...	...	...	...	...	...	...	...	(h)	(h)	(f)	(f)
Maryland	...	...	5 (a,e)	5 (a,e)	6 mo.	6 mo.	30	30	★	★	(f)	(f)
Massachusetts	...	...	...	...	...	...	...	...	...	...	...	...
Michigan	...	...	(e)	...	(e)	(e)	...	...	★	★	(g,j)	(g,j)
Minnesota	...	...	...	...	...	...	...	...	(h)	(h)	...	...
Mississippi	...	...	(a)	(a)	...	...	30	26	5	5	...	...
Missouri	15	10	(e)	(e)	★	1	30	30	★	★	...	...
Montana	★	★	2	2	...	...	...	...	5	5	...	...
Nebraska	★	★	3	...	★ (e)	★	30	30	5 (i)	5 (i)	...	...
Nevada	...	...	2 (e)	2 (e)	...	...	25	25	★	★	(k)	(k)
New Hampshire	...	...	...	...	...	...	...	...	...	...	(l)	(l)
New Jersey	...	...	...	...	...	...	...	...	10	10	...	...
New Mexico	...	...	3	3	...	★	30	30	3 (h,i)	3 (h,i)	...	...
New York	...	...	...	...	...	...	...	...	10	10	...	...
North Carolina	...	...	1	...	...	...	21	...	★	★	...	...
North Dakota	★	★	★	★	...	...	...	...	★ (h)	★ (h)	...	...
Ohio	...	...	...	...	...	★	...	...	6 (i)	6 (i)	(g)	(g)
Oklahoma	...	...	(e)	...	(e)	(e)	30	...	5 (i)	4 (i)	...	...
Oregon	★	★	3	★	(e)	★	...	...	★	★	...	...
Pennsylvania	★	★	1 (a)	(a)	...	1	...	...	★	★	...	...
Rhode Island	...	...	...	...	...	...	...	...	...	...	...	...
South Carolina	★	★	5 (a)	5 (a)	...	★ (e)	26	26	5	5	...	...
South Dakota	★	★	★	★	★ (e)	★ (e)	...	...	★	★	...	...
Tennessee	...	...	5 (a)	5	...	1	35 (m)	30	★	★	...	...
Texas	★	★	(a)	(a)	(d)	2	35	25	★ (i)	★ (i)	...	...
Utah	...	...	5	3	...	★	30	25	★	★	...	...
Vermont	...	...	★	★	...	...	...	...	★ (i)	★ (i)	...	...
Virginia	...	...	★	★	...	...	...	...	5	5	...	...
Washington	...	...	1	...	1	1	...	...	★ (n)	★	...	...
West Virginia	...	...	5	5	...	...	30	30	★ (i)	★ (i)	...	...
Wisconsin	...	...	(e)	...	...	(e)	...	...	5	5	...	...
Wyoming	★	★	3	2	...	...	30	28	1 (h,i)	1 (h)	...	...
Dist. of Columbia	★	★	...	...	90 days	...	...	...	5 (i)	5 (i)	...	...
American Samoa	★	★	...	...	...	...	...	...	★	★	...	...
Guam	...	★	...	...	...	...	...	...	...	(h)	...	...
No. Mariana Islands	...	★	...	...	...	...	...	30	...	(h)	...	...
Puerto Rico	★	★	...	...	...	...	...	25	★ (i)	★ (i)	...	...

See footnotes at end of table.

QUALIFICATIONS OF JUDGES—Continued

Sources: National Center for State Courts, *State Court Organization 1987;* state constitutions and statutes.

Note: The information in this table is based on a literal reading of the state constitutions and statutes. Requirements that an individual be a member of the state bar or a qualified elector may imply additional requirements.

Key:

A — Judges of courts of last resort and intermediate appellate courts.
T — Judges of general trial courts.
★ — Provision; length of time not specified.
. . . — No specific provision.

(a) Citizen of the state. In Alabama, Mississippi and Tennessee (court of criminal appeals), five years; in Georgia, three years.

(b) Must have been engaged in active practice of law for specific number of years. Alaska: appellate — eight years; trial—five years.

(c) For court of appeals, five years.

(d) For court of appeals judges only.

(e) Qualified elector. For Arizona court of appeals, must be elector of county of residence. For Michigan Supreme Court, elector in state; court of appeals, elector of appellate circuit. For Missouri Supreme and appellate courts, electors for nine years; for circuit courts, electors for three years. For Oklahoma Supreme Court and Court of Criminal Appeals, elector for one year; court of appeals and district courts, elector for six months. For Oregon court of appeals, qualified elector in county.

(f) Specific personal characteristics. Arizona, Arkansas—good moral character. Maine—sobriety of manners. Maryland—integrity, wisdom and sound legal knowledge.

(g) Nominee must be under certain age to be eligible. Arizona—under 65. Colorado—under 72, except when name is submitted for vacancy. Florida—under 70, except upon temporary assignment or to complete a term. Michigan, Ohio—under 70.

(h) Learned in law.

(i) Years as a practicing lawyer and/or service on bench of court of record in state may satisfy requirement. Arkansas—appellate: eight years; trial: six years. Indiana—10 years admitted to practice or must have served as a circuit, superior or criminal court judge in the state for at least five years. Kansas—appellate: 10 years; trial: five years (must have served as an associate district judge in state for two years). Texas—appellate: 10 years; trial: four years. Vermont—five of 10 years preceding appointment. West Virginia—appellate: 10 years; trial: five years. Puerto Rico—appellate: 10 years; trial: five years.

(j) A person convicted of a felony or breach of public trust is not eligible to the office for a period of 20 years after conviction.

(k) May not have been previously removed from judicial office.

(l) Except that record of birth is required.

(m) Thirty years for judges of court of appeals and court of criminal appeals.

(n) For court of appeals, admitted to practice for five years.

Table 4.4
SELECTION AND RETENTION OF JUDGES

State or other jurisdiction	*How selected and retained*
Alabama	Appellate, circuit, district and probate judges elected on partisan ballots. Municipal court judges appointed by the governing body of the municipality (majority vote of its members).
Alaska	Supreme Court, court of appeals, superior court and district court judges appointed by governor from nominations submitted by Judicial Council. Supreme Court, court of appeals and superior court judges approved or rejected at first general election held more than three years after appointment. Reconfirmation every 10, eight and six years, respectively. District court judges approved or rejected at first general election held more than one year after appointment. Reconfirmation every four years. District court magistrates appointed by and serve at pleasure of presiding judge of superior court in each judicial district.
Arizona	Supreme Court justices and court of appeals judges appointed by governor from a list of not less than three nominees submitted by a nine-member Commission on Appellate Court Appointments. Superior court judges (in counties with population of at least 150,000) appointed by governor from a list of not less than three nominees submitted by a nine-member commission on trial court appointments. Judges initially hold office for term ending 60 days following next regular general election after expiration of two-year term. Judges who file declaration of intention to be retained in office run at next regular general election on non-partisan retention ballot. Superior court judges in counties having population less than 150,000 elected on non-partisan ballot; justices of the peace elected on partisan ballot; police judges and magistrates selected as provided by charter or ordinance; Tucson city magistrates appointed by mayor and council from nominees submitted by non-partisan Merit Selection Commission on magistrate appointments.
Arkansas	All elected on partisan ballot.
California	Supreme Court and courts of appeal judges appointed by governor, confirmed by Commission on Judicial Appointments. Judges run unopposed on non-partisan retention ballot at next general election after appointment. Superior court judges elected on non-partisan ballot or selected by method described above; judges elected to full term at next general election on non-partisan ballot. Municipal court and justice court judges initially appointed by governor and county board of supervisors, respectively, retain office by election on non-partisan ballot.
Colorado	Supreme Court and court of appeals judges appointed by governor from nominees submitted by Supreme Court Nominating Commission. Other judges appointed by governor from nominees submitted by Judicial District Nominating Commission. After initial appointive term of two years, judges run on record for retention. Municipal judges appointed by municipal governing body. Denver County judges appointed by mayor from list submitted by nominating commission; judges run on record for retention.
Connecticut	All nonelected judges appointed by legislature from nominations submitted by governor exclusively from candidates submitted by the Judicial Selection Commission. Judicial Review Council makes recommendations on nominations for reappointment. Probate judges elected on partisan ballots.
Delaware	All appointed by governor from list submitted by a judicial nominating commission (which is established by executive order) with consent of majority of Senate.
Florida	Supreme Court and district court of appeals judges appointed by governor from nominees submitted by appropriate judicial nominating commission. Judges run for retention at next general election preceding expiration of term. Circuit and county court judges elected on non-partisan ballots.
Georgia	Supreme Court, court of appeals and superior court judges elected on non-partisan ballots. Probate judges and justices of peace elected on partisan ballots. Other county and city court judges appointed.
Hawaii	Supreme Court and intermediate court of appeals justices and circuit court judges nominated by Judicial Selection Commission (on list of at least six names) and appointed by governor with consent of Senate. Judges reappointed to subsequent terms by the Judicial Selection Commission. District court judges nominated by Commission (on list of at least six names) and appointed by chief justice.
Idaho	Supreme Court and court of appeals justices and district court judges elected on non-partisan ballot. Magistrates appointed on non-partisan merit basis by District Magistrates Commission and run for retention in first general election next succeeding the 18-month period following initial appointment; thereafter, run every four years.
Illinois	Supreme Court, appellate court and circuit court judges nominated at primary elections or by petition and elected at general or judicial elections on partisan ballot. Judges run in uncontested retention elections for subsequent terms. Circuit court associate judges, once appointed by circuit judges for four-year terms, are being converted to full circuit judges.
Indiana	Supreme Court justices and court of appeals judges appointed by governor from list of three nominees submitted by seven-member Judicial Nominating Commission. Judges serve until next general election after two years from appointment date; thereafter, run for retention on record. Circuit, superior and county judges in most counties run on partisan ballot. Marion County municipal judges appointed by governor from nominees submitted by county nominating commission.
Iowa	Supreme Court, court of appeals and district court judges appointed by governor from lists submitted by nominating commissions. Judges serve initial one-year term and until January 1 following next general election, then run on records for retention. Full-time judicial magistrates appointed by district judges in judicial election district from nominations submitted by county judicial magistrate appointing commission. Part-time magistrates appointed by county judicial magistrate appointing commission.
Kansas	Supreme Court and court of appeals judges appointed by governor from nominations submitted by Supreme Court Nominating Commission. Judges serve until second Monday in January following first general election after one year in office; thereafter run on record for retention every six (Supreme Court) and four (court of appeals) years. District judges in most judicial districts selected by non-partisan commission plan.
Kentucky	All judges elected on non-partisan ballot.
Louisiana	All justices and judges (except Orleans Parish District and Family Court judges) elected on non-partisan ballot.
Maine	All appointed by governor with confirmation of the senate, except probate judges who are elected on partisan ballot.
Maryland	Court of Appeals and Court of Special Appeals judges nominated by Judicial Nominating Commission, and appointed by governor with advice and consent of Senate. Judges run on record for retention after one year of service. Judges of circuit courts and Supreme Bench of Baltimore City nominated by Commission and appointed by governor. Judges run in first general election after year of service (may be challenged by other candidates). District court judges nominated by Commission and appointed by governor, subject to Senate confirmation.

SELECTION AND RETENTION OF JUDGES—Continued

State or other jurisdiction	*How selected and retained*
Massachusetts	All nominated and appointed by governor with advice and consent of Governor's Council. Judicial Nominating Commission, established by executive order, submits names on non-partisan basis to governor.
Michigan	All elected on non-partisan ballot, except remaining municipal judges who are selected in accordance with local procedures for selecting public officials.
Minnesota	All elected on non-partisan ballot.
Mississippi	All elected on partisan ballot, except municipal court judges who are appointed by governing authority of each municipality.
Missouri	Judges of Supreme Court, court of appeals and several circuit courts appointed initially by governor from nominations submitted by judicial selection commissions. Judges run for retention after one year in office. All other judges elected on partisan ballot.
Montana	All elected on non-partisan ballot. Judges unopposed in reelection effort, run for retention.
Nebraska	All judges appointed initially by governor from nominees submitted by judicial nominating commissions. Judges run for retention on non-partisan ballot in general election following initial three-year term; subsequent terms are six years.
Nevada	All elected on non-partisan ballot.
New Hampshire	All appointed by governor and confirmed by majority vote of elected five-member Executive Council.
New Jersey	All appointed by governor with advice and consent of Senate, except judges of municipal courts serving a single municipality who are appointed by the governing body. Judges are reappointed by the governor (to age 70) with the advice and consent of Senate.
New Mexico	Supreme Court, Court of Appeals, district and municipal judges appointed by governor from list submitted by a judicial nominating commission. At next general election, after appointment, judges run for full terms in partisan, contested election. If appointed judge wins the contested election, the judge runs for subsequent terms in uncontested retention elections.
New York	All elected on partisan ballot, except judges of Court of Appeals who are appointed by governor with advice and consent of Senate. Governor also appoints judges of court of claims and designates members of appellate division of supreme court. Mayor of New York City appoints judges of criminal and family courts in the city from list submitted by a judicial nominating commission, established by mayor's executive order.
North Carolina	All elected on partisan ballot, except special judges of superior court who are appointed by governor.
North Dakota	All elected on non-partisan ballot.
Ohio	All elected on non-partisan ballot, except court of claims judges who may be appointed by chief justice of Supreme Court from ranks of Supreme Court, court of appeals, court of common pleas or retired judges.
Oklahoma	Supreme Court justices and Court of Criminal Appeals judges appointed by governor from lists of three submitted by Judicial Nominating Commission. Judges run for retention on non-partisan ballot at first general election following completion of one year's service. Judges of court of appeals, and district and associate district judges elected on non-partisan ballot. Special judges appointed by district judges within judicial administrative districts. Municipal judges appointed by governing body of municipality.
Oregon	All judges elected on non-partisan ballot for six-year terms, except municipal judges who are generally appointed and serve as prescribed by city council.
Pennsylvania	All initially elected on partisan ballot and thereafter on non-partisan retention ballot, except judges of traffic court and magistrates (Pittsburgh) who are appointed by mayor.
Rhode Island	Supreme Court justices elected by legislature. Superior, district and family court judges appointed by governor with advice and consent of Senate. Probate and municipal court judges appointed by city or town councils.
South Carolina	Supreme Court, court of appeals, circuit court and family court judges elected by legislature from names submitted on a non-partisan basis by judiciary committee of legislature. Probate judges elected on partisan ballot. Magistrates appointed by governor with advice and consent of Senate. Municipal judges appointed by mayor and alderman of city.
South Dakota	Supreme Court justices appointed by governor from nominees submitted by Judicial Qualifications Commission. Justices run for retention at first general election after three years in office. Circuit court judges elected on non-partisan ballot. Magistrates appointed by presiding judge of judicial court.
Tennessee	Judges of intermediate appellate courts appointed initially by governor from list of three nominees submitted by Appellate Court Nominating Commission. Judges run for election to full term at biennial general election held more than 30 days after occurrence of vacancy. Supreme Court judges and all other judges elected on partisan ballot, except some municipal judges who are appointed by governing body of city.
Texas	All elected on partisan ballot (method of selection for municipal judges determined by city charter or local ordinance).
Utah	Supreme Court, district court, circuit court and juvenile court judges appointed by governor from list of at least three nominees submitted by Judicial Nominating Commission. Judges run unopposed for retention in general election following initial three-year term; thereafter run on record for retention every 10 (Supreme Court) and six (other courts of record) years.
Vermont	Supreme Court justices, superior court and district court judges nominated by Judicial Nominating Board and appointed by governor with advice and consent of Senate. Judges retained in office unless legislature votes for removal.
Virginia	All full-time judges elected by majority vote of legislature.
Washington	All elected on non-partisan ballot (method of selection for some municipal judges locally determined).
West Virginia	Supreme Court of Appeals judges, circuit court judges and magistrates elected on partisan ballot.
Wisconsin	Supreme Court, court of appeals and circuit court judges elected on non-partisan ballot. Method of selection for municipal judges determined locally.
Wyoming	Supreme Court justices, district and county court judges appointed by governor from list of three nominees submitted by judicial nominating commission. Judges run for retention on non-partisan ballot at first general election occurring more than one year after appointment. Justices of the peace elected on non-partisan ballot. Municipal (police) judges appointed by mayor with consent of Council.

SELECTION AND RETENTION OF JUDGES—Continued

State or other jurisdiction	*How selected and retained*
Dist. of Columbia	Court of appeals and superior court judges nominated by president of the United States from a list of persons recommended by District of Columbia Judicial Nominating Commission; appointed upon advice and consent of U.S. Senate.
American Samoa	Chief justice and associate justice(s) appointed by the U.S. Secretary of the Interior pursuant to presidential delegation of authority. Associate judges appointed by governor of American Samoa on recommendation of the chief justice, and subsequently confirmed by the Senate of American Samoa.
Guam	All appointed by governor with consent of legislature from list of nominees submitted by Judicial Council; thereafter, run on record for retention every seven years.
No. Mariana Islands	All appointed by governor with advice and consent of Senate.
Puerto Rico	All appointed by governor with advice and consent of Senate.
U.S. Virgin Islands	All appointed by governor with advice and consent of legislature.

Sources: Larry Berkson, Scott Beller and Michele Grimaldi, *Judicial Selection in the United States: A Compendium of Provisions* (Chicago: American Judicature Society) and update; Donna Vandenberg, "Judicial Merit Selection: Current Status," American Judicature Society; American Judicature Society and state constitutions and statutes.

Table 4.5
METHODS FOR REMOVAL OF JUDGES AND FILLING OF VACANCIES

State or other jurisdiction	*How removed*	*Vacancies: how filled*
Alabama	Judicial Inquiry Commission investigates, receives or initiates complaints concerning any judge. Complaints are filed with the Court of the Judiciary which is empowered to remove, suspend, censure or otherwise discipline judges in the state.	By gubernatorial appointment. At next general election held after appointee has been in office one year, office is filled for a full term. In some counties, vacancies in circuit and district courts are filled by gubernatorial appointment on nominations made by judicial commission.
Alaska	Justices and judges subject to impeachment for malfeasance or misfeasance in performance of official duties. On recommendation of Judicial Qualifications Commission or on its own motion, Supreme Court may suspend judge without salary when judge pleads guilty or no contest or is found guilty of a crime punishable as felony under state or federal law or of any other crime involving moral turpitude under that law. If conviction is reversed, suspension terminates and judge is paid salary for period of suspension. If conviction becomes final, judge is removed from office by Supreme Court. On recommendation of Judicial Qualifications Commission, Supreme Court may censure or remove a judge for action (occurring not more than six years before commencement of current term) which constitutes willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance or conduct prejudicial to the administration of justice that brings the judicial office into disrepute. The Court may also retire a judge for a disability that seriously interferes with the performance of duties and is (or is likely to become) permanent.	By gubernatorial appointment, from nominations submitted by Judicial Council.
Arizona	Judges subject to recall election. Electors, equal in number to 25% of votes cast in last election for judge, may petition for judge's recall. All Supreme Court, court of appeals and superior court judges (judges of courts of record) are subject to impeachment. On recommendation of Commission on Judicial Qualifications or on its own motion, Supreme Court may suspend without salary, a judge who pleads guilty or no contest or is found guilty of a crime punishable as felony or involving moral turpitude under state or federal law. If conviction is reversed, suspension terminates and judge is paid salary for period of suspension. If conviction becomes final, judge is removed from office by Supreme Court. Upon recommendation of Commission on Judicial Qualifications, Supreme Court may remove a judge for willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance or conduct prejudicial to the administration of justice that brings the office into disrepute. The Court may also retire a judge for a disability that seriously interferes with performance of duties and is (or is likely to become) permanent.	Vacancies on Supreme Court, court of appeals and superior courts (in counties with population over 150,000) are filled as in initial selection. Vacancies on superior courts in counties of less than 150,000 may be filled by gubernatorial appointment until next general election when judge is elected to fill remainder of unexpired term. Vacancies on justice courts are filled by appointment by county board of supervisors.
Arkansas	Supreme, appellate, circuit and chancery court judges are subject to removal by impeachment or by the governor upon the joint address of 2/3 of the members elected to each house of General Assembly. On recommendation of Judicial Discipline & Disability Commission, the Supreme Court may suspend, with or without pay, or remove a judge for conviction of any offense punishable as a felony under the laws of Arkansas or the United States; for conviction of a criminal act that reflects adversely on the judge's honesty, trustworthiness, or fitness as a judge in other respects; for conduct involving dishonesty, fraud, deceit, or misrepresentation; for conduct that is prejudicial to the administration of justice; for a willful violation of the Code of Judicial Conduct or the Rules of Professional Responsibility; for willful and persistent failure to perform the duties of office; or for habitual intemperance in the use of alcohol or other drugs.	By gubernatorial appointment. Appointee serves remainder of unexpired term if it expires at next general election.
California	All judges subject to impeachment for misconduct. All judges subject to recall election. On recommendation of the Commission on Judicial Performance or on its own motion, the Supreme Court may suspend a judge without salary when the judge pleads guilty or no contest or is found guilty of a crime punishable as a felony or any other crime that involves moral turpitude under that law. If conviction is reversed, suspension terminates and judge is paid salary for period of suspension. If conviction becomes final, judge is removed from office by Supreme Court. Upon recommendation of Commission on Judicial Performance, Supreme Court may remove judge for willful misconduct in office, persistent failure or inability to perform duties, habitual intemperance or conduct prejudicial to the administration of justice that brings the office into disrepute. The Court may also retire a judge for disability that seriously interferes with performance of duties and is (or is likely to become) permanent.	Vacancies on appellate courts are filled by gubernatorial appointment with approval of Commission on Judicial Appointments until next general election at which appointee has the right to become a candidate. Vacancies on superior courts are filled by gubernatorial appointment for remainder of unexpired term; on justice courts by appointment of county board of supervisors or by nonpartisan special election.

METHODS FOR REMOVAL OF JUDGES—Continued

State or other jurisdiction	*How removed*	*Vacancies: how filled*
Colorado	Supreme, appeals and district court judges are subject to impeachment for high crimes and misdemeanors or malfeasance in office by 2/3 vote of Senate. Supreme Court, on its own motion or upon petition, may remove a judge from office upon final conviction for a crime punishable as felony under state or federal law or of any other crime involving moral turpitude under that law. Upon recommendation of Commission on Judicial Discipline, Supreme Court may remove or discipline a judge for willful misconduct in office, willful or persistent failure to perform the duties of office, intemperance or violation of judicial conduct, or for disability that seriously interferes with performance and is (or is likely to become) permanent. Denver county judges are removed in accordance with charter and ordinance provisions.	By gubernatorial appointment (or mayoral appointment in case of Denver county court from names submitted by appropriate judicial nominating commission.
Connecticut	Supreme and superior court judges are subject to removal by impeachment or by the governor on the address of 2/3 of each house of the General Assembly. On recommendation of Judicial Review Council or on its own motion, the Supreme Court may remove or suspend a judge of the Supreme or superior court after an investigation and hearing. If the investigation involves a Supreme Court justice, such judge is disqualified from participating in the proceedings. If a judge becomes permanently incapacitated and cannot adequately fulfill the duties of office, the judge may be retired for disability by the Judicial Review Council on its own motion or on application of the judge.	If General Assembly is in session, vacancies are filled as in initial selection. Otherwise vacancies are filled temporarily by gubernatorial appointment.
Delaware	Judges are subject to impeachment for treason, bribery or any high crime or misdemeanor. The Court on the Judiciary may (after investigation and hearing) censure or remove a judge for willful misconduct in office, willful and persistent failure to perform the duties of office or an offense involving moral turpitude or other persistent misconduct in violation of judicial ethics. The Court may also retire a judge for permanent mental or physical disability interfering with the performance of duties.	Vacancies are filled as in initial selection.
Florida	Supreme Court, district courts of appeal and circuit court judges are subject to impeachment for misdemeanors in office. On recommendation of Judicial Qualifications Commission, Supreme Court may discipline or remove a judge for willful or persistent failure to perform duties or for conduct unbecoming to a member of the judiciary, or retire a judge for a disability that seriously interferes with the performance of duties and is (or is likely to become) permanent.	By gubernatorial appointment, from nominees recommended by appropriate judicial nominating commission.
Georgia	Judges are subject to impeachment for cause. Upon recommendation of the Judicial Qualifications Commission (after investigation of alleged misconduct), the Supreme Court may retire, remove or censure any judge.	By gubernatorial appointment (by executive order) on nonpartisan basis from names submitted by Judicial Nominating Commission.
Hawaii	Upon recommendation of the Commission on Judicial Discipline (after investigation and hearings), the Supreme Court may reprimand, discipline, suspend (with or without salary), retire or remove any judge as a result of misconduct or disability.	Vacancies on Supreme, intermediate court of appeals and circuit courts are filled by gubernatorial appointment (subject to consent of Senate) from names submitted by Judicial Selection Committee. Vacancies on district courts are filled by appointment by chief justice from names submitted by Committee.
Idaho	Judges are subject to impeachment for cause. Upon recommendation by Judicial Council, Supreme Court (after investigation) may remove judges of Supreme Court, court of appeals and district court judges. District court judges (or judicial district sitting en banc), by majority vote in accordance with Supreme Court rules, may remove magistrates for cause. District Magistrate's Commission may remove magistrates without cause during first 18 months of service.	Vacancies on Supreme Court, court of appeals and district courts are filled by gubernatorial appointment from names submitted by Judicial Council for unexpired term. Vacancies in magistrates' division of district court are filled by District Magistrate's Commission for remainder of unexpired term.
Illinois	Judges are subject to impeachment for cause. The Judicial Inquiry Board receives (or initiates) and investigates complaints, and files complaints with the Courts Commission which may remove, suspend without pay, censure or reprimand a judge for willful misconduct in office, persistent failure to perform duties or other conduct prejudicial to the administration of justice or that brings the judicial office into disrepute. The Commission may also suspend (with or without pay) or retire a judge for mental or physical disability.	Vacancies on Supreme, appellate and circuit courts are filled by appointment by Supreme Court until general election. Associate judge vacancies on circuit courts are filled as as in initial selection.
Indiana	Upon the recommendation of the Judicial Qualifications Commission or on its own motion, the Supreme Court may suspend or remove an appellate judge for pleading guilty or no contest to a felony or crime involving moral turpitude. The Supreme Court may also retire, censure or remove a judge for other matters. The Supreme Court may also discipline or suspend without pay a non-appellate judge.	Appellate vacancies are filled as in initial selection. Vacancies on circuit courts are filled by gubernatorial appointment until general election. Vacancies on most superior courts are filled by gubernatorial appointment.

METHODS FOR REMOVAL OF JUDGES—Continued

State or other jurisdiction	*How removed*	*Vacancies: how filled*
Iowa	Supreme and district court judges are subject to impeachment for misdemeanor or malfeasance in office. Upon recommendation of Commission on Judicial Qualifications, the Supreme Court may retire a Supreme, district or associate district judge for permanent disability, or remove such judge for failure to perform duties, habitual intemperance, willful misconduct, conduct which brings the office into disrepute or substantial violations of the canons of judicial ethics. Judicial magistrates may be removed by a tribunal in the judicial election district of the magistrate's residence.	Vacancies are filled as in initial selection.
Kansas	All judges are subject to impeachment for treason, bribery or other high crimes and misdemeanors. Supreme Court justices are subject to retirement upon certification to the governor (after a hearing by the Supreme Court nominating commission) that such justice is so incapacitated as to be unable to perform adequately the duties of office. Upon recommendation of the Judicial Qualifications Commission, the Supreme Court may retire for incapacity, discipline, suspend or remove for cause any judge below the Supreme Court level.	Vacancies on Supreme Court and court of appeals are filled as in initial selection. Vacancies on district courts (in areas where commission plan has not been adopted) are filled by gubernatorial appointment until next general election, when vacancy is filled for remainder of unexpired term; in areas where commission plan has been adopted, vacancies are filled by gubernatorial appointment from names submitted by judicial nominating commission.
Kentucky	Judges are subject to impeachment for misdemeanors in office. Retirement and Removal Commission, subject to rules of procedure established by Supreme Court, may retire for disability, suspend without pay or remove for good cause any judge. The Commission's actions are subject to review by Supreme Court.	By gubernatorial appointment (from names submitted by appropriate judicial nominating commission) or by chief justice if governor fails to act within 60 days. Appointees serve until next general election after their appointment at which time vacancy is filled.
Louisiana	Judges are subject to impeachment for commission or conviction of felony or malfeasance or gross misconduct. Upon investigation and recommendation by Judiciary Commission, Supreme Court may censure, suspend (with or without salary), remove from office or retire involuntarily a judge for misconduct relating to official duties, willful and persistent failure to perform duties, persistent and public conduct prejudicial to the administration of justice that brings the office into disrepute, or conduct while in office which would constitute a felony or conviction of felony. The Court may also retire a judge for disability which is (or is likely to become) permanent.	Vacancies are filled by Supreme Court appointment if remainder of unexpired term is six months or less; if longer than six months, vacancies are filled in special election.
Maine	Judges are subject to removal by impeachment or by governor upon the joint address of the legislature. Upon recommendation of the Committee on Judicial Responsibility and Disability, the Supreme Judicial Court may remove, retire or discipline any judge.	Vacancies are filled as in initial selection.
Maryland	Judges are subject to impeachment. Judges of Court of Appeals, court of special appeals, trial courts of general jurisdiction and district courts are subject to removal by governor on judge's conviction in court of law, impeachment, or physical or mental disability. Judges are also subject to removal upon joint address of the legislature. Upon recommendation of the Commission on Judicial Disabilities (after hearing), the Court of Appeals may remove or retire a judge for misconduct in office, persistent failure to perform duties, conduct prejudicial to the proper administration of justice, or disability that seriously interferes with the performance of duties and is (or is likely to become) permanent. Elected judges convicted of felony or misdemeanor relating to public duties and involving moral turpitude may be removed from office by operation of law when conviction becomes final.	Vacancies are filled as in initial selection.
Massachusetts	Judges are subject to impeachment. The governor, with the consent of the Executive Council, may remove judges upon joint address of the legislature, and may also (after a hearing and with consent of the Council) retire a judge because of advanced age or mental or physical disability. The Commission on Judicial Conduct, using rules of procedure approved by the Supreme Judicial Court, may investigate the action of any judge that may, by consequence of willful misconduct in office, willful or persistent failure to perform his duties, habitual intemperance or other conduct prejudicial to the administration of justice, bring the office into disrepute.	Vacancies are filled as in initial selection.

METHODS FOR REMOVAL OF JUDGES—Continued

State or other jurisdiction	How removed	Vacancies: how filled
Michigan	Judges are subject to impeachment. With the concurrence of 2/3 of the members of the legislature, the governor may remove a judge for reasonable cause insufficient for impeachment. Upon recommendation of Judicial Tenure Commission, Supreme Court may censure, suspend (with or without salary), retire or remove a judge for conviction of a felony, a physical or mental disability, or a persistent failure to perform duties, misconduct in office, habitual intemperance or conduct clearly prejudicial to the administration of justice.	Vacancies in all courts of record are filled by gubernatorial appointment from nominees recommended by a bar committee. Appointee serves until next general election at which successor is selected for remainder of unexpired term. Vacancies on municipal courts are filled by appointment by city councils.
Minnesota	Supreme and district court judges are subject to impeachment. Upon recommendation of Board of Judicial Standards, Supreme Court may censure, suspend (with or without salary), retire or remove a judge for conviction of a felony, physical or mental disability, or persistent failure to perform duties, misconduct in office, habitual intemperance or conduct prejudicial to the administration of justice.	Statutory plan to fill vacancies on district courts requires governor to appoint from nominees recommended by a judicial nominating commission. Vacancies on other levels of court filled by gubernatorial appointment (no nominating commission). Appointee serves until general election occurring more than one year after appointment at which time a successor is elected to serve a full term.
Mississippi	Judges are subject to impeachment. For reasonable cause which is not sufficient for impeachment, the governor may, on joint address of legislature, remove judges of Supreme and inferior courts. Upon recommendation of Commission on Judicial Performance, Supreme Court may remove, suspend, fine, publicly censure or reprimand a judge for conviction of a felony (in a court outside the state), willful misconduct, willful and persistent failure to perform duties, habitual intemperance or conduct prejudicial to the administration of justice which brings the office into disrepute. The Commission may also retire any judge for physical or mental disabilitythat seriously interferes with performance of duties and is (or is likely to become) permanent.	By gubernatorial appointment, from names submitted by a nominating commission. The office is filled for remainder of unexpired term at next state or congressional election held more than seven months after vacancy.
Missouri	Upon recommendation of Commission on Retirement, Removal and Discipline, Supreme Court may retire, remove or discipline any judge.	Vacancies on Supreme Court, court of appeals and circuit courts which have adopted commission plan are filled as in initial selection. Vacancies on other circuit courts and municipal courts are filled, respectively, by special election and mayoral appointment.
Montana	All judges are subject to impeachment. Upon recommendation of Judicial Standards Commission, Supreme Court may suspend a judge and remove same upon conviction of a felony or other crime involving moral turpitude. The Supreme Court may retire any judge for a disability that seriously interferes with the performance of duties, and that is (or may become) permanent. The Court may also censure, suspend, or remove any judge for willful misconduct in office, willful and persistent failure to perform duties, violation of canons of judicial ethics adopted by the Supreme Court, or habitual intemperance.	Vacancies on Supreme and district courts are filled by gubernatorial appointment (with confirmation by Senate) from names submitted by judicial nominating commission. Vacancies on municipal and city courts are filled by appointment by city councils for remainder of unexpired term.
Nebraska	Judges are subject to impeachment. In case of impeachment of Supreme Court justice, judges of district court sit as court of impeachment with 2/3 concurrence required for conviction. In case of other judicial impeachments, Supreme Court sits as court of impeachment. Upon recommendation of the Commission on Judicial Qualifications, the Supreme Court may reprimand, discipline, censure, suspend or remove a judge for willful misconduct in office, willful failure to perform duties, habitual intemperance, conviction of crime involving moral turpitude, disbarment or conduct prejudicial to the administration of justice that brings the office into disrepute. The Supreme Court also may retire a judge for physical or mental disability that seriously interferes with performance of duties and is (or is likely to become) permanent.	Vacancies are filled as in initial selection.
Nevada	All judges, except justices of peace, are subject to impeachment. Judges are also subject to removal by legislative resolution and by recall election. The Commission on Judicial Discipline may censure, retire or remove a Supreme Court justice or district judge for willful misconduct, willful or persistent failure to perform duties or habitual intemperance, or retire a judge for advanced age which interferes with performance of duties or for mental or physical disability that is (or is likely to become) permanent.	Vacancies on Supreme or district courts are filled by gubernatorial appointment from among three nominees submitmitted by Commission on Judicial Selection. Vacancies on justice courts are filled by appointment by board of county commissioners or by special election.

STATE INTERMEDIATE APPELLATE COURTS AND GENERAL TRIAL COURTS—Continued

State or other jurisdiction	*Intermediate appellate court*			*General trial court*		
	Name of court	*No. of judges*	*Term (years)*	*Name of court*	*No. of judges*	*Term (years)*
South Dakota	...	...	...	Circuit courts	36	8
Tennessee	Court of Appeals Court of Criminal Appeals	12 9	8 8	Chancery courts Circuit courts	33 105	8 8
Texas	Courts of Appeals	80	6	District courts	385	4
Utah	Court of Appeals	7	10 (k)	District courts	29	6
Vermont	...	...	...	Superior courts and District Courts	29	6
Virginia	Court of Appeals	10	8	Circuit courts	131	8
Washington	Court of Appeals	17	6	Superior courts	147	4
West Virginia	...	...	...	Circuit courts	60	8
Wisconsin	Court of Appeals	13	6	Circuit courts	210	6
Wyoming	...	...	...	District courts	17	6
Dist. of Columbia	...	...	...	Superior Court	59	15
American Samoa	...	...	...	High Court: trial level	8 (l)	(m)
Guam	...	...	...	Superior Court	6	7
Puerto Rico	...	...	...	Superior Court	108	12

Sources: National Center for State Courts, *State Court Caseload Statistics: Annual Report 1990* (released 1992); state statutes and court administration offices.

Key:

. . . — Court does not exist in jurisdiction or not applicable

(a) At the general trial court level, Arkansas has three types of courts: chancery, circuit and chancery probate courts. There are 32 chancery court judges who serve four year terms; circuit court has 33 judges who serve six year terms. Chancery probate court, a hybrid of both chancery and circuit, consists of 33 judges (20 of whom serve in the juvenile division of chancery court) who serve four year terms.

(b) President judge, three resident judges and 11 associate judges.

(c) For judges of the Superior Court of the Atlanta Judicial Court, term of office is eight years.

(d) Two years initial; 10 years retention.

(e) Plus 42 district associate judges and 19 senior judges.

(f) Plus 69 district associate judges and 70 district magistrates.

(g) Includes judges of Circuit Court for Baltimore City.

(h) To age 70.

(i) Plus 170 associate circuit judges.

(j) Plus 77 associate judges and 62 special judges.

(k) Three years initial; 10 years retention.

(l) Chief justice and associate judges sit on appellate and trial divisions.

(m) For good behavior.

METHODS FOR REMOVAL OF JUDGES—Continued

State or other jurisdiction	*How removed*	*Vacancies: how filled*
New Hampshire	Judges are subject to impeachment. Governor, with consent of Executive Council, may remove judges upon address of both houses of legislature.	Vacancies are filled as in initial selection.
New Jersey	Supreme and superior court judges are subject to impeachment by the legislature. Except for Supreme Court justices, judges are subject to a statutory removal proceeding that is initiated by the filing of a complaint by the Supreme Court on its own motion or the governor or either house of the legislature acting by a majority of its total membership. Prior to institution of the formal proceedings, complaints are usually referred to the Supreme Court's Advisory Committee on Judicial Conduct, which conducts a preliminary investigation, makes findings of fact and either dismisses the charges or recommends that formal proceedings be instituted. The Supreme Court's determination is based on a plenary hearing procedure, although the Court is supplied with a record created by the Committee. The formal statutory removal hearing may be either before the Supreme Court sitting en banc or before three justices or judges (or combination thereof) specifically designated by chief justice. If Supreme Court certifies to governor that it appears a Supreme Court or superior court judge is so incapacitated as to substantially prevent the judge from performing the duties of office, the governor appoints a commission of three persons to inquire into the circumstances. On their recommendation, the governor may retire the justice or judge from office, on pension, as may be provided by law.	Vacancies on Supreme, superior, appellate division of superior, county, district, tax and municipal courts are filled as in initial selection.
New Mexico	Judges are subject to impeachment. Upon recommendation of the Judicial Standards Commission, the Supreme Court may discipline or remove a judge for willful misconduct in office, willful and persistent failure or inability to perform duties or habitual intemperance, or retire a judge for disability that seriously interferes with performance of duties and is (or is likely to become) permanent.	Vacancies on Supreme, Court of Appeals and district courts are filled by gubernatorial appointment from names submitted by judicial nominating commission.
New York	All judges are subject to impeachment. Court of Appeals and supreme court judges may be removed by 2/3 concurrence of both houses of legislature. Court of claims, county court, surrogate's court, family court, civil and criminal court (NYC) and district court judges may be removed by 2/3 vote of the Senate on recommendation of governor. Commission on Judicial Conduct may determine that a judge be admonished, censured or removed from office for cause, or retired for disability, subject to appeal to the Court of Appeals.	Vacancies on Court of Appeals and appellate division of supreme court are filled as in initial selection. Vacancies in elective judgeships (outside NYC) are filled at the next general election for full term; until election, governor makes appointment (with consent of Senate if in session).
North Carolina	Upon recommendation of Judicial Standards Commission, Supreme Court may censure or remove a court of appeals or trial court judge for willful misconduct in office, willful and persistent failure to perform duties, habitual intemperance, conviction of a crime involving moral turpitude, conduct prejudicial to the administration of justice that brings the office into disrepute, or mental or physical incapacity that interferes with the performance of duties and is (or is likely to become) permanent. Upon recommendation of Judicial Standards Commission, a seven-member panel of the court of appeals may censure or remove (for the above reasons) any Supreme Court judge.	Vacancies on Supreme, appeals and superior courts are filled by gubernatorial appointment until next general election.
North Dakota	Supreme and district court judges are subject to impeachment for habitual intemperance, crimes, corrupt conduct, malfeasance or misdemeanor in office. Governor may remove county judges after hearing. All judges are subject to recall election. On recommendation of Commission on Judicial Qualifications or on its own motion, Supreme Court may suspend a judge without salary when judge pleads guilty or no contest or is found guilty of a crime punishable as a felony under state or federal law or any other crime involving moral turpitude under that law. If conviction is reversed, suspension terminates and judge is paid salary for period of suspension. If conviction becomes final, judge is removed by Supreme Court. Upon recommendation of Commission on Judicial Qualifications, Supreme Court may censure or remove a judge for willful misconduct, willful failure to perform duties, willful violation of the code of judicial conduct or habitual intemperance. The Court may also retire a judge for disability that seriously interferes with the performance of duties and is (or is likely to become) permanent.	Vacancies on Supreme and district courts are filled by gubernatorial appointment from nominees submitted by Judicial Nominating Committee until next general election, unless governor calls for a special election to fill vacancy for remainder of term. Vacancies on county courts are filled by appointment by board of county commissioners from names submitted by nominating commission.
Ohio	Judges are subject to impeachment. Judges may be removed by concurrent resolution of 2/3 members of both houses of legislature or removed for cause upon filing of a petition signed by 15% of electors in preceding gubernatorial election. The Board of Commissioners on Grievances and Discipline of the Judiciary may disqualify a judge from office when judge has been indicted for a crime punishable as felony under state or federal law. Board may also remove or suspend a judge for willful and persistent failure to perform duties, habitual intemperance, conduct prejudicial to the administration of justice or which would bring the office into disrepute, or suspension from practice of law, or retire a judge for physical or mental disability that prevents discharge of duties. Judge may appeal action to Supreme Court.	Vacancies are filled by gubernatorial appointment until next general election when successor is elected to fill unexpired term. If unexpired term ends within one year following such election, appointment is made for unexpired term.

METHODS FOR REMOVAL OF JUDGES—Continued

State or other jurisdiction	*How removed*	*Vacancies: how filled*
Oklahoma	Judges are subject to impeachment for willful neglect of duty, corruption in office, habitual intemperance, incompetency or any offense involving moral turpitude. Upon recommendation of Council on Judicial Complaints, chief justice of Supreme Court may bring charges against any judge in the Court on the Judiciary. Court on the Judiciary may order removal of judge for gross neglect of duty, corruption in office, habitual drunkenness, an offense involving moral turpitude, gross partiality in office, or oppression in office. Judge may also be retired (with or without salary) for mental or physical disability that prevents performance of duties, or for incompetence to perform duties.	Vacancies on Supreme Court and Court of Criminal Appeals are filled as in initial selection. Vacancies on court of appeals and district courts are filled by gubernatorial appointment from nominees submitted by Judicial Nominating Commission. For court of appeals vacancies, judge is elected to fill unexpired term at next general election.
Oregon	On recommendation of Commission on Judicial Fitness, Supreme Court may remove a judge for conviction of a felony or crime involving moral turpitude, willful misconduct in office, willful or persistent failure to perform judicial duties, habitual intemperance, illegal use of narcotic drugs, willful violation of rules of conduct prescribed by Supreme Court or general incompetence. A judge may also be retired for mental or physical disability after certification by Commission. Judge may appeal action to Supreme Court.	Vacancies on Supreme Court, court of appeals and circuit courts are filled by gubernatorial appointment, until next general election when judge is selected to fill unexpired term.
Pennsylvania	All judges are subject to impeachment for misdemeanor in office. Upon recommendation of Judicial Inquiry and Review Board, a judge may be suspended, removed or otherwise disciplined by Supreme Court for specific forms of misconduct, neglect of duty or disability.	By gubernatorial appointment (with advice and consent of Senate), from names submitted by appropriate nominating commission. Appointee serves until next election if the election is more than 10 months after vacancy occurred.
Rhode Island	All judges are subject to impeachment. The Supreme Court on its own motion may suspend a judge who pleaded guilty or no contest or was found guilty of a crime punishable as felony under state or federal law or any other crime involving moral turpitude. Upon recommendation of the Commission on Judicial Tenure and Discipline, the Supreme Court may censure, suspend, reprimand or remove from office a judge guilty of a serious violation of the canons of judicial ethics or for willful or persistent failure to perform duties, a disabling addiction to alcohol, drugs or narcotics, or conduct that brings the office into disrepute. The Supreme Court may also retire a judge for physical or mental disability that seriously interferes with performance of duties and is (or is likely to become) permanent. Whenever the Commission recommends removal of a Supreme Court justice, the Supreme Court transmits the findings to the speaker of the House of Representatives, recommending the initiation of proceedings for the removal of the justice by resolution of the legislature.	Vacancies on Supreme Court are filled by the two houses of the legislature in grand committee until the next election. In case of a judge's temporary inability, governor may appoint a person to fill vacancy. Vacancies on superior, family and district courts are filled by gubernatorial appointment (with advice and consent of Senate).
South Carolina	Judges are subject to removal by impeachment or by governor on address of 2/3 of each house of legislature. Upon review of the findings of fact, conclusions of law, and recommendation of the Board of Commissioners on Judicial Standards, the Supreme Court can discipline, suspend, remove, retire, or hold in contempt a judge who has been convicted of a crime of moral turpitude, has violated the Code of Judicial Conduct or the Rules of Professional Conduct, persistently fails to perform his judicial duties or is persistently incompetent or neglectful in the performance of his judicial duties, or is habitually intemperate, consistently fails to timely issue his official orders, decrees, or opinions or otherwise perform his official duties without just cause or excuse, or for disability.	Vacancies are filled as in initial selection for remainder of unexpired term; if remainder is less than one year, vacancy is filled by gubernatorial appointment. Vacancies on probate courts are filled by gubernatorial appointment until next general election.
South Dakota	Supreme Court justices and circuit court judges are subject to removal by impeachment. Upon recommendation of Judicial Qualifications Commission, Supreme Court may remove a judge from office.	Vacancies on Supreme and circuit courts are filled by gubernatorial appointment from names submitted by Judicial Qualifications Commission for balance of unexpired term.
Tennessee	Judges are subject to impeachment for misfeasance or malfeasance in office. Upon recommendation of the Court on the Judiciary, the legislature (by concurrent resolution) may remove a judge for willful misconduct in office or physical or mental disability.	Vacancies on Supreme, circuit, criminal and chancery courts are filled by gubernatorial appointment until next biennial election held more than 30 days after vacancy occurred. At election, successor is chosen as in initial selection. Vacancies on court of appeals and court of criminal appeals are filled as in initial selection.

METHODS FOR REMOVAL OF JUDGES—Continued

State or other jurisdiction	*How removed*	*Vacancies: how filled*
Texas	Supreme Court, court of appeals and district court judges are subject to removal by impeachment or by joint address of both houses. Supreme Court may remove district judges from office. District judges may remove county judges and justices of the peace. Upon charges filed by the State Commission on Judicial Conduct, the Supreme Court may remove a judge for willful or persistent violation of the code of judicial conduct, and willful or persistent conduct that is clearly inconsistent with the proper performance of duties, or casts public discredit upon the judiciary or administration of justice. The Court may also retire a judge for disability.	Vacancies on appellate and district courts are filled by gubernatorial appointment until next general election, at which time a successor is chosen. Vacancies on county courts are filled by appointment by county commissioner's court until next election when successor is chosen. Vacancies on municipal courts are filled by governing body of municipality for remainder of unexpired term.
Utah	All judges, except justices of the peace, are subject to impeachment. Following investigations and hearings, the Judicial Conduct Commission may order the reprimand, censure, suspension, removal, or involuntary retirement of any judge for willful misconduct, final conviction of a crime punishable as a felony under state or federal law, willful or persistent failure to perform judicial duties, disability that seriously interferes with performance, or conduct prejudicial to the administration of justice that bring the judicial office into disrepute. Prior to implementation, the Supreme Court reviews the order. Lay justices of the peace may be removed for willful failure to participate in judicial education program.	Vacancies on Supreme, district and circuit courts are filled by gubernatorial appointment from candidates submitted by appropriate nominating commission.
Vermont	Upon review of the findings of the Judicial Conduct Board, all judges are subject to impeachment. Supreme Court may discipline, impose sanctions on, or suspend from duties any judge in the state.	Vacancies on Supreme, superior and district courts are filled as in initial selection if Senate is in session. Otherwise, by gubernatorial appointment from nominees submitted by judicial nominating board.
Virginia	All judges are subject to impeachment. Upon certification of charges against judge by Judicial Inquiry and Review Commission, Supreme Court may remove a judge.	Vacancies are filled as in initial selection if General Assembly is in session. Otherwise, by gubernatorial appointment, with appointee serving until 30 days after commencement of next legislative session.
Washington	A judge of any court of record is subject to impeachment. After notice, hearing and recommendation of Judicial Qualifications Commission, Supreme Court may censure, suspend or remove a judge for violating a rule of judicial conduct. The Supreme Court may also retire a judge for disability that seriously interferes with the performance of duties and is (or is likely to become) permanent.	Vacancies on appellate and general trial courts are filled by gubernatorial appointment until next general election when successor is elected to fill remainder of term.
West Virginia	Judges are subject to impeachment for maladministration, corruption, incompetency, gross immorality, neglect of duty or any crime or misdemeanor. Upon review of recommendations of the Judicial Hearing Board, the Supreme Court of Appeals may censure or suspend a judge for any violation of the judicial code of ethics or retire a judge who is incapable of performing duties because of advancing age, disease or physical or mental infirmity.	Vacancies on appellate and general trial courts are filled by gubernatorial appointment. If unexpired term is less than two years (or such additional period not exceeding three years), appointee serves for remainder of term. If unexpired term is more than three years, appointee serves until next general election, at which time successor is chosen to fill remainder of term.
Wisconsin	All judges are subject to impeachment. Supreme Court, court of appeals and circuit court judges are subject to removal by address of both houses of legislature with 2/3 of members concurring, and by recall election. As judges of courts of record must be licensed to practice law in state, removal of judge may also be by disbarment. Upon review of the findings of fact, conclusions of law, and recommendation of the Judicial Commission, the Supreme Court may reprimand, censure, suspend, or remove for cause or disability any judge or justice for a willful violation of a rule of the Code of Judicial Ethics, willful or persistent failure to perform official duties, habitual intemperance, due to consumption of intoxicating beverages or use of dangerous drugs, which interferes with the proper performance of judicial duties, or conviction of a felony.	Vacancies on Supreme Court, court of appeals and circuit courts are filled by gubernatorial appointment from nominees submitted by nominating commission.
Wyoming	All judges, except justices of peace, are subject to impeachment. Upon recommendation of Judicial Supervisory Commission, the Supreme Court may retire or remove a judge. After a hearing before a panel of three district judges, the Supreme Court may remove justices of the peace.	Vacancies are filled as in initial selection. Vacancies on justice of the peace courts are fill- by appointment by county commissioners until next general election.

METHODS FOR REMOVAL OF JUDGES—Continued

State or other jurisdiction	*How removed*	*Vacancies: how filled*
Dist. of Columbia	Commission on Judicial Disabilities and Tenure may remove a judge upon conviction of a felony (including a federal crime), for willful misconduct in office, willful and persistent failure to perform judicial duties or for other conduct prejudicial to the administration of justice which brings the office into disrepute.	Vacancies are filled as in initial selection, unless president of the United States fails to nominate candidate within 60 days of receipt of list of nominees from D.C. Judicial Nominating Commission; then Commission nominates and appoints, wth advice and consent of U.S. Senate.
American Samoa	U.S. Secretary of the Interior may remove chief and associate justices for cause. Upon recommendation of governor, chief justice may remove associate judges for cause.	Vacancies are filled as in initial selection.
Guam	On recommendation of Judicial Qualifications Commission, a special court of three judges may remove a judge for misconduct or incapacity.	By gubernatorial appointment.
No. Mariana Islands	Judges are subject to impeachment for treason, commission of a felony, corruption or neglect of duty. Upon recommendation of an advisory commission on the judiciary, the governor may remove, suspend or otherwise sanction a judge for illegal or improper conduct.	By gubernatorial appointment.
Puerto Rico	Supreme Court justices are subject to impeachment for treason, bribery, other felonies and misdemeanors involving moral turpitude. Supreme Court may remove other judges for cause (as provided by judiciary act) after a hearing on charges brought by order of chief justice, who disqualifies self from final proceedings.	Vacancies are filled as in initial selection.

Source: American Judicature Society (Spring 1992), (used with permission).

Table 4.6
COMPENSATION OF JUDGES OF APPELLATE COURTS AND GENERAL TRIAL COURTS

	Appellate courts					
State or other jurisdiction	*Court of last resort*	*Salary*	*Intermediate appellate court*	*Salary*	*General trial courts*	*Salary*
Alabama	Supreme Court	$107,125 (a)	Court of Criminal Appeals	$106,125 (b)	Circuit courts	$ 72,500 (c)
			Court of Civil Appeals	106,125 (b)		
Alaska	Supreme Court	104,988	Court of Appeals	98,688 (d)	Superior courts	96,000 (d)
Arizona	Supreme Court	91,728 (a)	Court of Appeals	89,544	Superior courts	87,360
Arkansas	Supreme Court	80,169 (a,e)	Court of Appeals	77,440 (b,e)	Chancery courts	74,707 (e)
					Circuit courts	74,707 (e)
California	Supreme Court	121,207 (a)	Courts of Appeal	113,632	Superior courts	99,297
Colorado	Supreme Court	81,000 (a)	Court of Appeals	76,500 (b)	District Court	72,000
Connecticut	Supreme Court	101,479 (a,e,f)	Appellate Court	94,359 (b,e,f)	Superior courts	90,14 (e,f)
Delaware	Supreme Court	99,000 (a)	. . .	. . .	Superior courts	94,100 (b)
Florida	Supreme Court	100,443	District Court of Appeals	95,421	Circuit courts	90,399
Georgia	Supreme Court	92,788	Court of Appeals	92,179	Superior courts	70,560 (c)
Hawaii	Supreme Court	93,780 (a)	Intermediate Court	89,780 (b)	Circuit courts	86,780
Idaho	Supreme Court	74,701 (a)	Court of Appeals	73,701	District courts	70,014
Illinois	Supreme Court	97,370	Appellate Court	91,642	Circuit courts	78,396 (b)
Indiana	Supreme Court	81,000 (a,g)	Court of Appeals	76,500 (b,g)	Circuit courts	61,740 (c)
					Superior courts	61,740 (c)
Iowa	Supreme Court	84,000 (a)	Court of Appeals	80,700 (b)	District courts	76,700 (b)
Kansas	Supreme Court	80,005 (a)	Court of Appeals	77,150	District courts	(h)
Kentucky	Supreme Court	77,498 (a)	Court of Appeals	74,335 (b)	Circuit courts	71,172 (i)
Louisiana	Supreme Court	94,600	Court of Appeals	89,600	District courts	84,600
Maine	Supreme Judicial Court	83,616 (a)	. . .	. . .	Superior Court	79,073 (b)
Maryland	Court of Appeals	99,000 (a)	Court of Special Appeals	92,500 (b)	Circuit courts	89,000
Massachusetts	Supreme Judicial Court	90,450 (a)	Appeals Court	83,708 (b)	Trial Court (j)	80,360 (b)
Michigan	Supreme Court	106,610	Court of Appeals	102,346	Circuit courts	58,633 (c)
					Recorder's Court (Detroit)	98,081
Minnesota	Supreme Court	89,052 (a)	Court of Appeals	83,910 (b)	District courts	78,768
Mississippi	Supreme Court	75,800 (a)	. . .	. . .	Chancery courts	66,200
					Circuit courts	66,200
Missouri	Supreme Court	91,594 (a)	Court of Appeals	85,500	Circuit courts	69,713 (b,k)
					Municipal division of circuit courts	up to 69,713
Montana	Supreme Court	62,452 (a,e)	. . .	. . .	District courts	61,178 (e)
Nebraska	Supreme Court	88,157 (e)	Court of Appeals	83,749 (e)	District courts	81,546 (e)
Nevada	Supreme Court	85,000	. . .	. . .	District courts	79,000
New Hampshire	Supreme Court	88,200 (a)	. . .	. . .	Superior Court	82,687 (b)
New Jersey	Supreme Court	115,000 (a)	Appellate division of Superior Court	108,000	Superior Court	100,000 (l)
New Mexico	Supreme Court	75,000 (a)	Court of Appeals	71,250 (b)	District courts	67,500
New York	Court of Appeals	115,000 (a)	Appellate divisions of Supreme Court	102,500 (b,m)	Supreme Court	95,000
North Carolina	Supreme Court	89,532 (a,n)	Court of Appeals	84,768 (b,n)	Superior Court	75,252 (b,n)
North Dakota	Supreme Court	71,555 (a,n)	. . .	. . .	District courts	65,970 (b,n)
Ohio	Supreme Court	101,150 (a)	Court of Appeals	94,200	Courts of common pleas	72,650 (c)
Oklahoma	Supreme Court	79,877 (a)	Court of Appeals	74,914	District Court	(o)
Oregon	Supreme Court	76,400 (a)	Court of Appeals	74,600 (b)	Circuit courts	69,600
			Tax Court	71,800	. . .	. . .
Pennsylvania	Supreme Court	91,500 (a)	Superior Court	89,500 (b)	Courts of common pleas	80,000 (b)
			Commonwealth Court	89,500 (b)		
Rhode Island	Supreme Court	95,149 (a,p)	. . .	. . .	Superior Court	85,666 (b,p)
					District court	80,320 (b,p)
South Carolina	Supreme Court	91,163 (a)	Court of Appeals	86,606 (b)	Circuit court	86,606
South Dakota	Supreme Court	67,288 (a)	. . .	. . .	Circuit courts	62,840 (b)
Tennessee	Supreme Court	67,288 (a,q)	Court of Appeals	85,575 (q)	Chancery courts	81,900 (q)
			Court of Criminal Appeals	85,575 (q)	Circuit courts	81,900 (q)
					Criminal courts	81,900 (q)
Texas	Supreme Court	91,035 (a)	Court of Appeals	86,484 (b,c)	District courts	81,932 (c)
Utah	Supreme Court	80,309 (a)	Court of Appeals	76,658 (b)	District courts	73,008
Vermont	Supreme Court	70,775 (a)	. . .	. . .	Superior courts	67,230 (b)
					District courts	67,230 (b)
Virginia	Supreme Court	99,709 (a)	Court of Appeals	94,724 (b)	Circuit courts	92,564
Washington	Supreme Court	107,200 (r)	Court of Appeals	101,900 (r)	Superior courts	96,600
					District Court	91,900
West Virginia	Supreme Court of Appeals	72,000	. . .	. . .	Circuit courts	65,000
Wisconsin	Supreme Court	91,252 (a)	Court of Appeals	85,919	Circuit courts	80,548
Wyoming	Supreme Court	85,000	. . .	. . .	District courts	77,000

COMPENSATION OF JUDGES—Continued

State or other jurisdiction	Appellate courts: Court of last resort	Salary	Intermediate appellate court	Salary	General trial courts	Salary
Dist. of Columbia	Court of Appeals	$137,300 (a)	. . .	. . .	Superior Court	$129,500 (b)
American Samoa	High Court	74,303 (a)	. . .	. . .	(s)	(s)
Guam	. . .	. . .	. . .	. . .	Superior Court	85,000 (b)
Puerto Rico	Supreme Court	67,400 (a)	. . .	. . .	Superior Court District Court	58,000 50,000
U.S. Virgin Islands	. . .	. . .	. . .	. . .	Territorial Court	75,000 (b)

Source: National Center for State Courts, *Survey of Judicial Salaries* (1992).

Note: Compensation is shown according to most recent legislation, even though laws may not yet have taken effect.

(a) These jurisdictions pay the following additional amounts to the chief justice or presiding judge of court of last resort:
Alabama, Utah—$1,000
Arizona—$2,184
Arkansas—$7,116.
California—$5,897.
Colorado, Missouri, Oklahoma, Pennsylvania—$2,500.
Connecticut—$9,456.
Delaware—$3,600.
Hawaii—$1,000.
Idaho—$1,575.
Indiana—$2,625.
Iowa—$3,200.
Kansas—$2,080.
Kentucky—$1,435.
Maine—$4,173.
Maryland—$16,000.
Massachusetts—$3,258.
Minnesota—$8,905.
Mississippi—chief justice, $1,200; presiding judge, $600.
Montana—$1,270.
New Hampshire—$2,756.
New Jersey—$5,000.
New Mexico—$1,050.
New York—$5,000.
North Carolina—$1,884.
North Dakota, South Dakota, Tennessee, Utah—$2,000.
Ohio—$5,850.
Oregon—$1,800.
Rhode Island—$9,515.
South Carolina—$4,798.
Texas—$2,678.
Vermont—$3,435.
Virginia—$6,592 (plus $6,500 in lieu of travel expenses).
Wisconsin—$7,957.
District of Columbia—$500.
American Samoa—plus nonforeign post differentials where applicable.
Puerto Rico—$600.

(b) Additional amounts paid to various judges:
Alabama—presiding judge, $500.
Arkansas—chief judge, $1,365.
Colorado—chief judge, $2,500.
Connecticut—state court administrator who is also a judge of Superior court, $5,047; chief judge, $5,826.
Delaware—presiding judge, $3,700.
Hawaii—chief judge, $1,500.
Illinois—chief judge, $5,727.
Indiana—chief judge, $2,675.
Iowa—chief judge of court of appeals, $3,200; chief judge of district court, $3,200.
Kentucky—chief judge, $717.
Maine—chief justice, $3,939.
Maryland—chief judge of court of special appeals, $2,500.
Massachusetts—chief justice of appeals court, $3,259; superior court chief justice, $3,348.
Minnesota—chief judge of the court of appeals, $4,196; chief judge of district courts, $3,938.
Missouri—chief judge $8,451.
New Hampshire—chief judge of superior court, $5,513.
New Mexico—chief judge, $1,050.
New York—presiding judge of appellate division of supreme court, $5,000.
North Carolina—chief judge of court of appeals, $1,896; senior judge of superior court, $2,464.
North Dakota—presiding judge, $1,550.
Oregon—chief judge, $1,800.
Pennsylvania—presiding judges of superior court and commonwealth court, $1,500; president judges of courts of common pleas, additional amounts to $2,500, depending on number of judges and population.
Rhode Island—presiding judge of superior court, $5,567; presiding judge of district court, $8,032.
South Carolina—chief judge, $3,675.
South Dakota—presiding circuit judge, $2,000.
Texas—chief judge, $510.
Utah, Virginia—chief judge, $1,000.
Vermont—administrative judges of superior and district courts, $3,545.
District of Columbia—chief judge of superior court, $500.
Guam—presiding judge, $2,000.
U.S. Virgin Islands—presiding judge of territorial court, $5,000.

(c) Plus local supplements, if any. In Texas, for court of appeals, supplements to salary $1,000 less than salary for supreme court justice; for district court, supplements to salary $2,000 less than salary of supreme court justice.

(d) Salaries range from $104,988 to $106,392 for supreme court justices and $96,600 to $103,596 for superior court judges, depending on location and cost-of-living differentials.

(e) Effective July 1, 1992.

(f) Plus 3 percent semiannually for 25 or more years, 3/4 of 3 percent for 20-25 years, 1/2 of 3 percent for 15-20 years, and 1/4 of 3 percent for 10-15 years.

(g) Plus $3,000 subsistence allowance for associate judges; for chief judges, $5,500.

(h) Salary varies according to designation: district judge designated as administrative judge, $70,346; district judge, $69,552; district magistrate judge, $32,839.

(i) Chief regional judges receive $72,172.

(j) Superior court department of the trial court.

(k) State may pay if municipality elects to transfer jurisdiction of municipal ordinance violations to circuit court.

(l) Assignment judges receive $105,000.

(m) Appellate division of the Supreme Court in the 1st, 2nd, 3rd, and 4th departments, the presiding justice, $107,500 and the associate justice, $102,500. Appellate terms of the Supreme Court, 1st, 2nd, 9th, 10th, 11th, and 12th districts, the presiding justice, $100,000, and the associate justice, $97,500.

(n) Plus 4.8 percent after 5 years, 9.6 percent after 10 years, 14.4 percent after 15 years, and 19.2 percent after 20 years.

(o) District judges, $67,933. Associate district judges paid on basis of population ranges: over 30,000—$64,077; 10,000 to 30,000—$57,009 under 10,000—$53,472.

(p) Plus 5 percent after 7 years, 10 percent after 11 years, 15 percent after 15 years, 17.5 percent after 20 years, and 20 percent after 25 years.

(q) Effective September 1, 1990.

(r) Effective September 3, 1992.

(s) General trial court responsibilities handled by the chief justice or associate judges of the High Court.

Table 4.7
SELECTED DATA ON COURT ADMINISTRATIVE OFFICES

State or other jurisdiction	*Title*	*Established*	*Appointed by* (a)	*Salary*
Alabama	Administrative Director of Courts (b)	1971	CJ	$ 86,190
Alaska	Administrative Director	1959	CJ (b)	102,468
Arizona	Administrative Director of Courts	1960	SC	83,600
Arkansas	Director, Administrative Office of the Courts	1965	CJ (c)	57,318
California	Administrative Director of the Courts	1960	JC	113,632
Colorado	State Court Administrator	1959	SC	76,500
Connecticut	Chief Court Administrator (d)	1965	CJ	100,943 (e)
Delaware	Director, Administrative Office of the Courts	1971	CJ	67,500
Florida	State Courts Administrator	1972	SC	82,400
Georgia	Director, Administrative Office of the Courts	1973	JC	73,000
Hawaii	Administrative Director of the Courts	1959	CJ (b)	85,302
Idaho	Administrative Director of the Courts	1967	SC	73,689
Illinois	Administrative Director of the Courts	1959	SC	91,642
Indiana	Executive Director, Division of State Court Administration	1975	SC	66,744
Iowa	Court Administrator	1971	SC	60,100 to 80,000
Kansas	Judicial Administrator	1965	CJ	69,552
Kentucky	Administrative Director of the Courts	1976	CJ	71,177
Louisiana	Judicial Administrator	1954	SC	84,600
Maine	Court Administrator	1975	CJ	65,936
Maryland	State Court Administrator (b)	1955	CJ	81,200
Massachusetts	Administrator, Supreme Judicial Court (b)	1978	SC	86,967
Michigan	State Court Administrator	1952	SC	93,605
Minnesota	State Court Administrator	1963	SC	not to exceed 78,768
Mississippi	Court Administrator	1974	SC	66,200
Missouri	State Courts Administrator	1970	SC	69,340
Montana	State Court Administrator	1975	SC	47,730
Nebraska	State Court Administrator	1972	CJ	63,162
Nevada	Director, Office of Court Administration	1971	SC	63,118
New Hampshire	Director of Administrative Services	1980	SC	67,765
New Jersey	Administrative Director of the Courts	1948	CJ	100,000
New Mexico	Director, Administrative Office of the Courts	1959	SC	64,692
New York	Chief Administrator of the Courts (f)	1978	CJ (g)	107,500
North Carolina	Director, Administrative Office of the Courts	1965	CJ	77,736 (e)
North Dakota	Court Administrator (h)	1971	CJ	59,665
Ohio	Administrative Director of the Courts	1955	SC	84,136
Oklahoma	Administrative Director of the Courts	1967	SC	74,914
Oregon	Court Administrator	1971	CJ	69,600
Pennsylvania	Court Administrator	1968	SC	79,000
Rhode Island	State Court Administrator	1969	CJ	65,008 (e)
South Carolina	Director of Court Administration	1973	CJ	71,482
South Dakota	State Court Administrator	1974	SC	40,665 to 61,020
Tennessee	Executive Secretary of the Supreme Court	1963	SC	85,575
Texas	Administrative Director of the Courts (i)	1977	SC	79,040
Utah	Court Administrator	1973	SC	73,008
Vermont	Court Administrator (j)	1967	SC	67,230
Virginia	Executive Secretary to the Supreme Court	1952	SC	90,749
Washington	Administrator for the Courts	1957	SC (k)	90,100
West Virginia	Administrative Director of the Supreme Court of Appeals	1975	SC	66,000
Wisconsin	Director of State Courts	1978	SC	83,417
Wyoming	Court Coordinator	1974	SC	46,294
Dist. of Columbia	Executive Officer, Courts of D.C.	1971	(l)	129,500
American Samoa	Court Administrator	1977	CJ	27,092
Guam	Administrative Director of Superior Court	N.A.	CJ (m)	67,150
Puerto Rico	Administrative Director of the Court	1952	CJ	65,000
U.S. Virgin Islands	Court/Administrative Clerk	N.A.	N.A.	55,700

Source: Salary information was taken from National Center for State Courts, *Survey of Judicial Salaries* (January 1992).

Key:

SC—State court of last resort.

CJ—Chief justice or chief judge of court of last resort.

JC—Judicial council.

N.A.—Not available.

(a) Term of office for all court administrators is at pleasure of appointing authority.

(b) With approval of Supreme Court.

(c) With approval of Judicial Council.

(d) Administrator is an associate judge of the Supreme Court.

(e) Base pay supplemented by increments for length of service.

(f) If incumbent is a judge, the title is Chief Administrative Judge of the Courts.

(g) With advice and consent of Administrative Board of the Courts.

(h) Serves as executive secretary to Judicial Council.

(i) Serves as executive director of Judicial council.

(j) Also clerk of the Supreme Court.

(k) Appointed from list of five submitted by governor.

(l) Joint Committee on Judicial Administration.

(m) Presiding judge of Superior Court (general trial court).

THE "NEW" JUDICIAL FEDERALISM

By Stanley H. Friedelbaum

Contemporary judicial federalism refers to a transfer of aspects of judicial primacy from the federal courts, especially the U.S. Supreme Court, to state appellate courts. The transfer is not the result of a weakening in national supremacy or a conscious effort to return to the states powers lost or misappropriated during the Warren Court years. Instead, with the assent of the Court's conservative and liberal factions in the early 1970s, a deferential attitude prevailed as state high courts revealed levels of unanticipated activism. Although there have been differences across the states, the activism has focused on traditionally state-oriented areas such as education finance, privacy rights and elements of criminal law.

Definitive explanations for the revival of state constitutional activism during the early 1970s remain elusive. U.S. Supreme Court Justice William Brennan, an early advocate of state activism, attributed the revival largely to the conservative doctrinal trends of the Burger Court. Perhaps closer to the point were hints of a return to the past combined with an indigenous state constitutional revival that had already begun to materialize. Whatever the motivation, state activism already was underway in a number of states, with a striking parallelism in states as far apart, both geographically and experientially, as California and New York, Oregon and New Jersey, and Hawaii and Alaska.

A Glance Backward

The activism associated with judicial federalism is not a new phenomenon. In fact, since the early years of the republic, dualism has been part of the American judicial system. However, state court activism during those years was limited largely by subject-matter areas. In recent years, state court activism has broadened and the procedures have become more sophisticated and diverse.[1]

During the early years of the republic, Chief Justice John Marshall, a supporter of broad national power, believed that the Bill of Rights did not apply to state governments. In *Barron v. Baltimore*,[2] Marshall argued there was no basis for departing from the "safe and judicious course" of limiting the Bill of Rights to the national government. And with James Madison's failure to secure the extension of selected provisions of the Bill of Rights to the states, no apparent restraints upon state legislative power existed.

The Bill of Rights would not impose federal restraints until after the Civil War. The Reconstruction amendments, particularly the Fourteenth Amendment, extended national authority to the states. Regardless of the breadth of the amendments, though, a majority of the Court in the *Slaughter-House Cases*[3] still conveyed a disinclination to "fetter and degrade the State governments . . . "

Yet it was through the Fourteenth Amendment's due process clause that the Court came to apply the provisions of the national Bill of Rights to state governments. During the early 1930s, the adoption of the doctrine of substantive due process coupled with dramatic economic growth and widespread adherence to Social Darwinism produced an unprecedented period of judicial negativism. The Supreme Court's application of substantive due process to economic and social legislation expanded the meaning of legal concepts of liberty and property. Substantive due process,

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used primarily to protect "liberty of contract," that is, economic liberty, promoted an invasive federal judiciary that downgraded state autonomy and generated national powers overweening in their impact and destructive of the traditional federal-state balance.[4]

Following the Court-packing crisis of 1937-38,[5] the Supreme Court withdrew from its much-decried role as a "super legislature" and gave deference to state powers. However, neither the state legislatures nor state courts exhibited any renewal of vibrancy. Instead, the nation's entry into World War II imparted a new vigor to national power. There was some apprehension, not wholly imaginary, that regionalism would replace the states. The subsequent admission of Alaska and Hawaii to the Union relieved these fears, but not before states launched major revitalizations of state constitutions and state administrative structures. Revitalization of state constitutions, in part, led to the "new" judicial federalism.

With its abandonment of substantive due process as a limit on government's power to regulate business,[6] the Court expanded the due process clause to include basic civil rights and liberties. The Court held that the Fourteenth Amendment's due process clause "selectively incorporated" nearly all of the prohibitions in the Bill of Rights and made them applicable to state governments. Beginning in the early 1920s,[7] and accelerating after 1937, the selective incorporation process culminated during the 1960s.

Questions remain as to whether the nationalization of the Bill of Rights persuaded against or prepared the way for a resort to state constitutions as major sources of judicial decisionmaking. No doubt the broad scope of the Bill of Rights governing both state and federal cases has convinced litigants to rely more on federal safeguards than state bills of rights. However, the Bill of Rights and the obligation that state courts must follow the Supreme Court's interpretation of federal law, has provided a defensive barrier that facilitates state innovation. State constitutions offer opportunities to expand individual rights beyond those in their federal counterparts.

The conservatism of the Burger Court provided the stimulus for state court activism. Activism became more common in 1986 after the Court asserted that it would curtail further advances in judicially-created rights. In *Bowers v. Hardwick*, the Court referred to the 1930s "face-off between the Executive and the Court," the dangers of returning to an unduly sweeping due process, and warnings that the Court is "most vulnerable and comes nearest to illegitimacy when it deals with judge-made constitutional law having little or no cognizable roots in the language or design of the Constitution."[8] In this light, reinforced by an emphatically conservative Rehnquist Court majority, state constitutions have come to be regarded as the principal remaining bulwarks for the promotion of civil rights and liberties. Whether this will continue, should the Court's political outlook change, remains moot.

In growing numbers during the 1970s and 1980s, state high courts began following unaccustomed courses, establishing discrete bodies of law tied to state constitutional provisions. Built upon a doctrine of independent and adequate state grounds, state courts effectively immunized their decisions from U.S. Supreme Court review. Though the Court interposed no objection, the Justices did move to require that a "plain statement" point to a specific dependence on applicable sections of the state constitution.[9] A number of state courts affirmed not only the authority but also the responsibility to give effect to state constitutional safeguards whenever federal constitutional provisions offered a lesser measure of protection.[10]

The Federal Law Alternative

While hundreds of cases during the past two decades have been linked to state constitutional provisions, state courts have not abandoned their reliance on the national Constitution. In the development of criminal law, even the most activist-oriented state courts have been inclined to follow federal precedents.[11] Adherence to the national Constitution has not always resulted in findings adverse to defendant interests. New York's

Court of Appeals, for example, staunchly defended a federally-guaranteed public trial in two recent cases touching upon such sensitive issues as the testimony of rape victims[12] and of cooperating witness-accomplices to a crime.[13] Regardless of possibly extenuating conditions, the Sixth Amendment, not the state's analogue, prevailed.

Other allusions to the federal Bill of Rights occur in state court reviews of state criminal proceedings, with reference frequently made to basic concepts of due process and to such requirements as the assistance of counsel.[14] Arguments also turn on familiar assurances of defendant rights to a speedy trial and to double jeopardy guarantees against multiple prosecutions.[15] Author Barry Latzer suggests that future developments in state criminal law are "likely to consist of selective rejectionism of Supreme Court doctrines, widespread adoptionism, and a great deal of law-ambiguity with respect to the grounds of the decision."[16]

The U.S. Supreme Court's virtual withdrawal from initiating critical inquiries concerning the validity of economic and social legislation has extended with almost equal force to the state courts. Subtle differences occasionally become evident, centered on state court reviews of legislative motives and examinations of lobbying activities.[17] But the results rarely are negative in old-style terms. Deference remains almost as pervasive in states as in the federal forum.

One state's recent controversial efforts to launch a major reform of automobile insurance regulations prompted a compelling response from affected insurance carriers. In a complex constitutional proceeding, the insurers claimed that their rights had been violated contrary to substantive due process guarantees and the takings and contract clauses. Though the state court sustained the legislature's actions, the carriers were informed they could file "as-applied" challenges in the event a loophole in the law did not afford them a fair rate of return. The standards applied were the same criteria developed by the U.S. Supreme Court for resolving due process issues.[18] Deference, then, prevailed without material impairment, but significant caveats were evident.

Exploring State Constitutional Strategies

The Criminal Law

Several state courts have departed from the U.S. Supreme Court in the area of search and seizure law, mainly because of the Court's weakening of the Fourth Amendment's exclusionary rule. In the 1984 case *United States v. Leon*[19] the Court narrowed the exclusionary rule by holding that evidence seized by means of an improperly granted search warrant is not excluded if police relied in good-faith on the defective warrant.

The New Jersey Supreme Court was one of the first state courts to reject the good-faith exception.[20] The state court's holding was contrary to the *Leon* decision despite provisions in the state constitution's declaration of rights that were virtually identical to those of the Fourth Amendment. The holding was a turnabout in a state court that historically opposed the exclusionary rule. The majority opinion noted that the exclusionary rule was "imbedded" in the state's jurisprudence. Closer to fact was the dissenting opinion's reference to courts transforming a judicially-created remedy into a constitutionally guaranteed right.

Another point of departure concerns the constitutionality of sobriety checkpoints. Michigan's Court of Appeals affirmed a trial court's holding that sobriety checkpoints violated the Fourth Amendment, but did not address whether sobriety checkpoints violated Michigan's state constitutional provisions. After the Michigan Supreme Court denied an application for leave to appeal, the U.S. Supreme Court agreed to review the case. In *Michigan Department of State Police v. Sitz*,[21] a majority sustained the state's use of highway checkpoints, rejecting claims based on the Fourth and Fourteenth Amendments. A remand to the state's Court of Appeals prepares the way for a possible ruling on state constitutional grounds that may "reverse" the U.S. Supreme Court's findings and strike down the Michigan program as violative of the state's Fourth Amendment counterpart provision.

A controversial offshoot of *Sitz* posed the question of whether a New Jersey roadblock program, as an indispensable condition of its constitutionality, must provide motorists an opportunity to evade it or refuse to participate. The New Jersey appellate court determined that the intrusion was minimal when balanced against the state's interests and did not constitute an unreasonable encroachment upon individual liberties. The court did not choose to apply greater protection under state constitutional analysis than that provided by the Fourth Amendment.[22] Other state courts have undertaken more rigorous examinations of checkpoint detentions under their state constitutions.[23]

Privacy Rights

With a number of state constitutions adopting explicit privacy rights, the states have become havens for the protection of privacy interests. Conceivably, an adroit reliance on federal constitutional provisions, especially the liberty provision of Fourteenth Amendment due process, could produce equally innovative results.[24] However, state courts tend to proceed by way of explicit state privacy guarantees. For the most part, significant state cases relate to bodily integrity and the rights of the mentally or terminally ill.[25] The U.S. Supreme Court's recent decision in the Missouri right-to-die case[26] deferred to state precedents. Judicial patterns in this area probably will continue to develop along state-oriented lines.

The most controversial aspect of constitutional protection of privacy relates to the extent of state power to regulate abortion as currently set out in *Roe v. Wade*.[27] State courts, acting on independent state grounds, offer one of the few remaining sources of support for the preservation of abortion rights. Many current state judicial inquiries revolve around state parental consent statutes and other state enactments resulting from the U.S. Supreme Court's decision in *Webster v. Reproductive Health Services*.[28]

For example, in Florida, where the state constitution explicitly provides a right to privacy, a parental consent law was tested by reference to what the state court termed "an independent, freestanding constitutional provision which declares the fundamental right to privacy."[29] Invalidating the act under an exacting standard of review, the court held that a woman's right to abort was encompassed within the privacy clause that protected minors as well as adults since the privacy amendment extended to "every natural person." The question remains whether other state courts will adopt such an interpretation of similar provisions.

Apart from privacy rights in the state constitutional text, a more difficult, and surely a more contentious question relates to the course state courts will follow. Although the U.S. Supreme Court may overrule *Roe v. Wade*, state high courts are free to embrace or to reject state constitutional privacy provisions. Herein lies the crux of the dilemma that will confront state courts (and, initially, state legislatures) in treating this highly charged matter. Only the survival of *Roe v. Wade*, albeit weakened by substantial incursions during the past decade, postpones decisions that promise to touch upon some of the most vexing questions ever faced by state courts. Will such actions, in their ultimate reach, signal a return to what were once considered procreative and familial issues committed primarily to the states? Future developments remain problematic.

School Funding

Apart from the continuing appeal of civil rights and liberties issues, public school funding ranks high among the subject areas that have given rise to major efforts in state courts over the past two decades. Until the middle of the twentieth century, public education was almost exclusively under state control. A turning point occurred in the 1960s when the U.S. Congress provided substantial infusions of federal aid. The first significant federal judicial supervision of educational affairs focused on violations of the First Amendment's religion clauses[30] and desegregation requirements.[31] With school systems governed largely by elected bodies and funded from local property taxes, education finance seemed beyond the bounds of judicial review.

In the 1970s, though, the unwritten immunity from national judicial intervention ended when groups objecting to disparities among Texas school districts claimed that the existing property tax base violated the Fourteenth Amendment's equal protection clause. In the case, *San Antonio School Dist. v. Rodriguez*,[32] the U.S. Supreme Court held that there was no federal constitutional requirement that the amount spent per pupil be the same. Thus, poverty did not constitute a suspect class that requires strict scrutiny by the court. Nor did the Court find education to be a fundamental right under the U.S. Constitution, which also would have required the strict scrutiny test. Instead, the Court declined to proceed beyond a relaxed rational basis test to avoid imposing "inflexible constitutional restraints" on the states. More significant was Justice Powell's "cautionary postscript" in *Rodriguez*, disavowing any assumption that the Court was endorsing the status quo in existing education finance systems. The Court boldly asserted its dissatisfaction with the heavy reliance on local property taxes and its support for the reform of revenue-producing formulas and systems. But solutions, Justice Powell made plain, would have to come from legislators and from the democratic pressures of the electorate. Although the majority's postscript was meant to rouse lawmakers and their constituents, one can easily imagine state courts construing the U.S. Supreme Court's language as an invitation to change funding inequities.

A succession of state cases followed, building upon the *Rodriguez* postscript in a fashion less cautious and restrained than any corrective remedies that might have found favor in the U.S. Supreme Court. California's second venture in education reform was tied to a strict scrutiny test and a strengthened version of state devised equal protection.[33] As in a number of other areas, the state served as a bellwether for constitutional experimentation.

In 1973, New Jersey's highest court, which had joined California in espousing major changes in financing public education, invalidated the state's existing system on the basis of an arcane "thorough and efficient" mandate in the New Jersey constitution.[34] Dramatic clashes between the state Supreme Court and the state legislature threatened to delay routine measures necessary for the timely opening of public schools for the fall term. Further expenditure of school funds was enjoined by judicial order until the legislature implemented the court's findings. The restraining order was not lifted until the legislature adopted proposals introducing an income tax as an integral part of the state's fiscal structure. As the court conceived it, only then could a previously passed reform act be adequately funded and new distribution formulas conform to the court's mandate.

Almost two decades later, the New Jersey court re-examined school financing progress and, finding it wanting in essential respects, ordered further changes to equalize per pupil expenditures among districts.[35] The earlier act, passed in response to the 1973 decision, was held unconstitutional in 1990 as applied to poor urban school districts. On a record extending more than a decade, the New Jersey Supreme Court found state aid to be "counter-equalizing" in a second round of questions on school finance — an unprecedented action for that or any other state. The court required the state to raise the level of funding in the inner cities to that of property-rich districts and allocate additional monies to meet the special educational needs of the urban districts and redress their "extreme disadvantages."

The tax increases resulting from the New Jersey court's most recent inquiry had such an impact that gubernatorial approval ratings dropped and partisan control of the legislature shifted from Democratic to Republican. In anticipation of the court's decision, the governor had urged the legislature to enact legislation drastically altering state aid formulas and redistributing tax monies to the affected urban centers. Major tax increases of an unprecedented nature were enacted largely to sustain the program adopted.

A widespread, impassioned tax revolt followed. The governor, who had been elected by a substantial majority just a year earlier, was castigated by former supporters who reflected an acute sense of betrayal and malaise. An anti-tax coalition was hurriedly formed, and an unsuccessful attempt was made to repudiate the controversial laws by placing nonbinding referenda questions renouncing the acts on the ballot in 1990. The legislature subsequently revised the revenue-allocating scheme to direct part of the additional funds toward property tax relief. The measure apparently failed to convince the voters. In the 1991 legislative election, the dynamics of New Jersey politics changed dramatically when the Republicans, previously the minority, gained control of both houses of the state legislature with veto-proof working majorities.

Republican efforts to translate campaign promises into a reduction in the state sales tax have raised recurrent issues of state budget deficits and their effect on the quality of state services.[36] Meanwhile, those who had brought the original school-funding lawsuit argued again before the state Supreme Court that the legislature's reallocation of funds to property tax relief had revived inequities, thereby widening the gap between urban and suburban districts to the detriment of the inner cities. A new trial was ordered in the fall of 1991. At the same time, disgruntled middle-income districts, denied an opportunity to become parties to the pending suit, considered filing a separate action to contest the constitutionality of the 1990 act.[37] The future remains uncertain as the governor and the legislature seek new revenue sources, including a possible use of state employee pension funds to balance the state budget and to maintain an uneasy, if temporary, status quo in the alienated middle-income districts.

In the aftermath of the New Jersey strife, proposals to introduce the initiative and referendum are being given serious consideration for the first time in the state's history.[38] There are even rumblings that with such devices in place the state Supreme Court's school finance rulings could be overturned by repealing the "thorough and efficient" clause of the state constitution.

Given other state courts' decisions, the New Jersey and California cases were not aberrant departures. Connecticut's Supreme Court characterized education as a fundamental right[39] just four years after the U.S. Supreme Court's contrary holding in *Rodriguez*. And in 1989, the Texas Supreme Court again addressed school funding inequities and achieved markedly different results.[40] Unlike the federal Court's non-interventionist pronouncement of 1973, the Texas court's opinion set aside the state's school financing arrangements as unconstitutional for their failure to satisfy a prescribed "efficiency" standard. Equality was tied to efficiency in a major restructuring of school aid formulas.

As diversity has marked the course of state constitutional law in other areas, school finance decisions also reflect variations in state distribution formulas and constitutional language. There is no assurance that "liberal" state courts will always agree upon interpretations of like constitutional phraseology (e.g., a "thorough and efficient" requirement) to produce kindred results.[41] The Oregon Supreme Court, for instance, recently declined to set aside the state's current method of funding public schools.[42] Groups bringing the action referred to an array of state constitutional provisions requiring, as they perceived them, equal educational opportunity or resources for all students regardless of their district of residence. The court denied the accuracy of their interpretation, responding that by virtue of a 1987 constitutional amendment, local property taxes were prescribed as a source of school funding and district-to-district differences in per-pupil spending were contemplated and permitted.

Though the Oregon court admitted that other constitutional language required the state to provide for a "uniform and general system of Common schools," it did not attempt to reconcile the competing articles or to find the previous phraseology a "dead letter." The Court held that the funding method did not violate the state constitution even though one of the concurring justices found the school finance system "perilously close to the edge of the cliff of unconstitutionality." Irate voters elsewhere may emulate Oregon's example and by constitutional amendment, impose binding conditions contrary to the course state courts would otherwise follow.

Concluding Remarks

This review of the current status of judicial federalism reveals that facile attempts to depict prevailing trends may be unavailing and illusory. The notion that a widespread devolution of powers has occurred neglects the state courts' continuing reliance on the national Constitution. This reliance governs decisionmaking in a number of critical areas.

In addition, where state courts have deviated substantially from federal constitutional precepts, state constitutional amendments at times have compelled conformity with the provisions and interpretation of the U.S. Constitution. For example, Florida's "forced linkage" amendment requires that the state's search and seizure clause be "construed in conformity with the Fourth Amendment to the United States Constitution as interpreted by the United States Supreme Court."[43] In California, a kindred effort was undertaken by means of an initiative limiting the rights of criminal defendants to those afforded by the U.S. Constitution.[44] However, the state Supreme Court thwarted the effort by a technical reading of distinctions between amending and revisory powers.[45] Surely, devolution is not the appropriate description for what has taken place in a complex structure that retains many of the models of national supremacy.

Cooperative endeavors by federal and state courts promote a vibrant judicial federalism that provides for constructive and dynamic growth. Justice Powell's postscript in *Rodriguez* exemplifies the U.S. Supreme Court's leadership role in school finance reform. Yet the advancement of school financing reform has not been the only instance of fruitful accommodative techniques. Often federal/state court linkages are weak, and the initiatory cases may originate in the state courts rather than in the federal court. A state decision striking down a municipal bond moratorium act for violating a state constitutional provision,[46] similar to the U.S. Constitution's contract clause, may have set the stage for the revival of the Constitution's contract clauses. In any event, accommodation cannot be assumed or taken to be a common occurrence.[47]

The converse side of state court activism occasionally reveals a purposeful evasion of responsibilities or even direct clashes with U.S. Supreme Court precedents — clashes that are not always necessary to assure the achievement of overriding public policy objectives. When, in the much-noted *Bakke*[48] reverse discrimination case, a state court predicated its findings on Fourteenth Amendment grounds, it was apparent that "buck passing" to the federal Supreme Court had been a paramount consideration. A state refuse disposal case, with results distinctly contrary to the U.S. Supreme Court's ruling in like circumstances, was equally unrewarding.[49]

What emerges, then, are mixed interests, goals, plans and pragmatic designs, all of which comprise judicial federalism. Neither devolution nor accommodation effectively describes the current body of law. Like other experiments in social invention and management, judicial federalism takes on many images. Not surprisingly, cross-currents are at work in a system diverse and far-reaching in its scope and range. No doubt relationships among courts will continue to attract interest and incur scrutiny by court-watchers throughout the nation. Judicial federalism, among the most intriguing contemporary products of American statecraft, merits nothing less.

Notes

[1] See Paul M. Bator, et al., *Hart and Wechsler's The Federal Courts and the Federal System* (Mineola, N.Y.: Foundation Press, 1973), especially chap. 4.

[2] *Barron v. Baltimore*, 7 Pet. 243 (1833).

[3] 16 Wall. 36 (1873).

[4] See *Lochner v. New York*, 198 U.S. 45 (1905); *Coppage v. Kansas*, 236 U.S. 1 (1915); and *New State Ice Co. v. Liebmann*, 285 U.S. 262 (1932) for notable samplings of the Court's rhetoric.

[5] Examples, bringing the Court to the point of judicial self-abnegation, included: *Olsen v. Nebraska*, 313 U.S. 236 (1941); *Lincoln Federal Labor Union v. Northwestern Iron & Metal Co.*, 335 U.S. 525 (1949); *Williamson v. Lee Optical Co.*, 348 U.S. 483 (1955); *Ferguson v. Skrupa*, 372 U.S. 726 (1963); *Hawaii Housing Authority v. Midkiff*, 467 U.S. 229 (1984).

[6] Stanley H. Friedelbaum, "Reprise or Denouement: Deference and the New Dissonance in the Burger Court," *Emory Law Journal*, 26 (1977), 337.

[7] See, e.g., *Pierce v. Society of Sisters*, 268 U.S. 510 (1925) and *Gitlow v. New York*, 268 U.S. 652 (1925).

[8] *Bowers v. Hardwick*, 478 U.S. 186 (1986).

[9] *Michigan v. Long*, 463 U.S. 1032 (1983).

[10] See, e.g., *Roberts v. State*, 458 P.2d 386 (Alas. 1970).

[11] See the New Jersey Supreme Court's disposition of claims of a constitutional right to a nonjury trial, *State v. Dunn*, 590 A.2d 1144 (N.J. 1991) and of claims founded on the interstate rendition clause and its peculiar application in *State v. Robbins*, 590 A.2d 1133 (N.J. 1991). Cf. *People v. Nitz*, 572 N.E. 2d 895 (Ill. 19991).

[12] *People v. Clemons*, 574 N.E.2d 1039 (N.Y. 1991).

[13] *People v. Kan*, 574 N.E.2d 1042 (N.Y. 1991).

[14] See, e.g., *Douglas v. Warden, State Prison*, 591 A.2d 399 (Conn. 1991).

[15] Treatment of these issues appeared in *State v. Malinovsky*, 573 N.E.2d 22 (Ohio 1991).

[16] Barry Latzer, *State Constitutions and Criminal Justice* (Westport, Conn.: Greenwood Press, 1991), p. 171.

[17] A resort to economic due process occurred in *In the Matter of C.V.S. Pharmacy Wayne*, 561 A.2d 1160 (N.J. 1989). Cf. *Remote Services, Inc. v. FDR Corp.*, 764 S.W.2d 80 (Ky. 1989).

[18] *State Farm Mutual Insurance Co. v. State*, 590 A.2d 191 (N.J. 1991). Cf. *Calfarm Insurance Co. v. Deukmejian*, 771 P.2d 1247 (Cal. 1989).

[19] 468 U.S. 897 (1984).

[20] *State v. Novembrino*, 519 A.2d 820 (N.J. 1987).

[21] 110 L.Ed.2d 412 (1990).

[22] *State v. Hester*, 584 A.2d 256 (N.J. Super. 1990).

[23] An excellent review appears in Mary Cornelia Porter, "Sobriety Checkpoints and State Constitutions: Whither Michigan's Court of Appeals?" *State Constitutional Commentaries and Notes* 2 (1991): 1 (Spring, 1991).

[24] The New York Court of Appeals invalidated the state's anti-sodomy law by reference to federal precedents in *People v. Onofre*, 415 N.E.2d 936 (N.Y. 1980). The same court dealt with the parental rights of unwed fathers, in some respects alluding to cognate constitutional interests under the Fourteenth Amendment. *Matter of Raquel Marie X*, 559 N.E.2d 418 (N.Y. 1990).

[25] See, e.g., *In re Quinlan*, 355 A.2d 647 (N.J. 1976); *Superintendent of Belchertown State School v. Saikewicz*, 370 N.E.2d 417 (Mass. 1977); and *In re Storar*, 420 N.E.2d 64 (N.Y. 1981).

[26] *Cruzan v. Director, Missouri Department of Health*, 111 L.Ed.2d 224 (1990).

[27] 410 U.S. 113 (1973).

[28] 492 U.S. 490 (1989).

[29] *In re T.W.*, 551 So.2d 1186 (Fla. 1989).

[30] *Everson v. Board of Education*, 330 U.S. 1 (1947) is usually cited as the first of the cases that led to a progression of Establishment Clause challenges.

[31] *Brown v. Board of Education*, 347 U.S. 483 (1954) and associated cases are the seminal sources that prepared the groundwork for one of the major social transformations of this century.

[32] 411 U.S. 1 (1973).

[33] *Serrano v. Priest (II)*, 557 P.2d 929 (Cal. 1976).

[34] *Robinson v. Cahill*, 303 A.2d 273 (N.J. 1973).

[35] *Abbott v. Burke*, 575 A.2d 359 (N.J. 1990).

[36] *The Central New Jersey Home News*, March 24, 1992, p. A1.

[37] *Id.*, March 25, 1992, p. A3.

[38] *The Central New Jersey Home News*, March 31, 1992, p. A3. See also Stanley H. Friedelbaum, "The Initiative and Referendum in New Jersey: Bygone Pursuit or Newfound Quest for Popular Supremacy," *State Constitutional Commentaries and Notes* 2 (1991): 15 (Winter, 1991).

[39] *Horton v. Maskill*, 376 A.2d 359 (Conn. 1977).

[40] *Edgewood Independent School Dist. v. Kirby*, 777 S.W.2d 391 (Tex. 1989). Cf. *Helena Elementary School Dist. No. 1 v. State*, 769 P.2d 684 (Mont. 1989).

[41] See *State ex rel. Board of Education v. Chafin*, 376 S.E.2d 113 (W. Va. 1988).

[42] *Coalition for Equitable School Funding v. State*, 811 P.2d 116 (Or. 1991).

[43] Fla. Const., Art. I, Sec. 12.

[44] Ballot Proposition 115 (1990).

[45] See *Raven v. Deukmejian*, 801 P.2d 1077 (Cal. 1990).

[46] *Flushing National Bank v. Municipal Assistance Corp. for the City of New York*, 358 N.E.2d 848 (N.Y. 1976).

[47] See Stanley H. Friedelbaum, "Reactive Responses: The Complementary Role of Federal and State Courts," *Publius: The Journal of Federalism*, 17 (Winter, 1987), 33.

[48] *Bakke v. Regents of University of California*, 553 P.2d 1152 (Cal. 1976).

[49] *State v. Hempele*, 576 A.2d 793 (N.J. 1990).

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Emerging Issues in State Constitutional Law, published by the National Association of Attorneys General.

State Constitutional Commentaries and Notes, published by the Burns Center for State Constitutional Studies, Rutgers University.

Publius: The Journal of Federalism, published by the Center for the Study of Federalism.

Rutgers Law Journal, annual issues devoted to surveys of state constitutional law.

CHAPTER FIVE

STATE ELECTIONS

ELECTION LEGISLATION, 1990-91

By Richard G. Smolka

Over the past two years, election law struggled to keep pace with new technology. Because personal computers could be used to draw legislative districts and factors other than population had to be considered in redistricting, district lines drawn or approved by state legislatures were subject to legal challenge based on computer drawn alternatives. The most common challenges were based on alleged violations of the Voting Rights Act provisions regarding dilution of minority votes. Others were based on disadvantage to a political party or destruction of a community interest.

Technology also was the subject of legislation allowing state officials to use electronic transmissions related to voting, digitized signatures related to election procedures, and new computerized vote counting devices.

States continued a 30-year pattern of easing voter registration requirements, making absentee voting more convenient, and to a limited extent for certain offices, making it easier for new parties and candidates to qualify for the ballot. Although many of these changes have been advocated over the years as a means of increasing voter participation, turnout percentages continue to decline.

The legislation with the greatest potential impact, however, has been enacted through voter initiative rather than by the state legislatures. Voters in California, Colorado and Oklahoma enacted term limitations, which prohibit specified elected officials from serving more than a specified number of terms. Early in 1992 the U.S. Supreme Court refused to overturn the California law, an action that might encourage supporters of term limits in other states. Term limits have been introduced by initiative in some local governments.

Redistricting

Following the 1990 census, much legislative time and attention was given to reapportionment and redistricting. Montana, which lost a congressional seat as a result of the count, challenged in federal court the method by which Congress is apportioned. The issue is pending before the U.S. Supreme Court. Several other states also challenged the census figures, claiming blacks and Hispanics were undercounted in numbers sufficient to affect not only apportionment and districting, but also the allocation of federal funding programs based on population. Ultimately, the legal process, rather than legislative actions, may play more of a role in determining legislative districts.

Redistricting was complicated by the federal Voting Rights Act requirement that states "preclear" state legislative and congressional districting plans with the Justice Department before they could take effect. However, plans precleared by the Justice Department still were subject to legal action on other grounds. To achieve districts that enhanced the electoral prospects of protected minority groups, legislatures and courts fashioned some imaginative districts that followed almost no geographic or government boundary lines. Compactness, it appears, is no longer a criteria for districting.

No matter how much effort went into redistricting, however, the lines invariably were attacked for violating some group or party's constitutional rights. Texas' state Senate districts, for example, were the subject of numerous complicated lawsuits. On the other hand,

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in Iowa, where the state legislature deferred to the Legislative Service Bureau, the result seems to meet all objective criteria and if challenged, is likely to be sustained. The Iowa model, however, is unlikely to be copied in other states because the result placed 60 incumbent legislators — 20 senators and 40 representatives — in districts with other incumbents. The situation produced some members' retirements and bitter conflicts among members of the same party.

Election Technology

Beyond computer vote counting, there has been relatively little legislative activity making state election codes amenable to new technology. However, greatly increased activity can be expected.

Currently, each state has its own system for approving voting equipment and devices. In each state in which they wish to do business, vendors must submit equipment for approval. Many view this as a process that restricts the development of new election technology and drives up the cost of new equipment that is approved.

Over the past seven years, the Federal Election Commission (FEC), which has no direct authority in this area, has worked with the states on a voluntary basis to develop national voting systems standards. After the Voluntary Voting Systems Standards were adopted in 1990, the National Association of State Election Directors (NASED) began identifying certification criteria for the testing laboratories that will determine whether voting equipment meets federal standards. The criteria were expected to be ready by mid-1992. After that date, presumably, the certified testing laboratories will be available to test voting systems according to the federal standards and, perhaps, additional state standards.

The FEC standards were adopted, in part, even before they were finalized. Some states adopted the standards without enacting legislation. For example, Indiana authorized its State Election Board to adopt regulations and procedures for new voting equipment. The board will get advice on new systems from its Technical Advisory Board, which in turn is expected to be guided at least partially by recommendations of the approved laboratories.

If the certification procedure works as expected, vendors will submit new equipment to be tested at approved laboratories. Equipment that meets the standards then will be available to all states that have authorized use of such systems. In the next year or two, legislation adopting the national standards for voting systems is likely to be proposed in many states, although most likely will add some of their own criteria to the standards.

The use of facsimile ballots became an issue in the 1990 general election. The Defense Department took unusual action to protect the voting rights of reservists who were called up for active duty in the Persian Gulf before the onset of war in 1991. When it appeared that many would otherwise not be able to vote, the department's Federal Voting Assistance Program (FVAP), the agency charged with administering the Uniformed and Overseas Citizens Absentee Voting Act, authorized by letter to the states the use of electronic transmissions of absentee ballots and election materials.

FVAP director Henry Valentino told the states this authorization covered only the November 1990 general election and only personnel involved in Operation Desert Shield, "because emergency conditions related to Desert Shield may deny these citizens the right to vote." The FVAP later reported that every state except Tennessee complied, and ultimately, that state was ordered to accept and count three ballots received by electronic transmission. The federal court did not rule on the merits of the case, thus leaving unresolved the issue of whether the federal government has the authority to issue such directives. Nevertheless, the FVAP continues to seek state and federal election law changes to ensure the acceptability of absentee ballot applications and the electronic transmission of absentee ballots.

The City of Chicago Board of Election Commissioners, which had indicated it would accept facsimile ballots in the federal election of 1990, announced unilaterally that it would accept them again from military personnel in the municipal primary and general elections of 1991, even though the federal government has no authority over municipal elections and neither state law nor the Illinois State Board of Elections authorized such a ballot. Very few military personnel attempted to vote by electronic transmission in 1991.

Election management saw significant change in Oklahoma over a three-year period, during which the state introduced an automated and computerized state election management and optical scan vote counting system. Before the change, the state had a decentralized system that was predominately manual and consisted almost entirely of paper ballots. In 1992, for the first time, Oklahoma will have a statewide automated list of registered voters, a statewide election communication system and a uniform optical scan vote counting system in use in all counties. The transition probably is the most dramatic ever made in one election cycle by any state.

Electronic signature digitization is expanding rapidly, and many states have authorized the use of electronically printed rather than original signatures for voter identification at the polls. The signature images also have been used to verify nominating petition signatures and signatures on initiative and referendum petitions.

Ballot Access

Several states recently changed their election laws to make it easier for political parties to qualify for the ballot. Montana now qualifies parties that polled 3 percent of the vote in either of the preceding two elections. Kansas, Wyoming and Massachusetts also eased restrictions on third party ballot access. In 1991, Virginia passed legislation to save the Democratic Party ballot status rather than ease minor party ballot access. The law now maintains party status for a political organization that polls 10 percent of the vote in either of the two preceding statewide elections. Because the Democrats voted not to nominate a candidate in the 1990 U.S. Senate race and that was the only statewide race on the ballot, the organization would have lost party status if the law had not been changed.

Presidential Primaries

In the past two years, state legislatures have responded to changing circumstances in the presidential nominating process. Colorado, Kansas, Michigan, Minnesota and Washington — none of which had presidential primaries in 1988 — are scheduled to hold them in 1992. Missouri, Vermont and Virginia — which had presidential preference primaries in 1988 — did not authorize them for 1992.

In at least 17 states, a state official or a committee of government or party officials is authorized to place on the ballot names of presidential candidates generally recognized as such in the media. As a general trend, these officers or committees for various reasons have refused to place on the ballot the names of some candidates, usually regarded as minor candidates or nuisances. Candidates denied a position often filed suit in state or federal court seeking to get on the state ballot. The arguments focused on the process by which the presidential candidates' names were chosen, or on the amount of media publicity the snubbed would-be candidate actually had received.

Court decisions have been mixed during the last two years. In Georgia, where political parties have veto power over the names to be submitted to party voters, the federal courts upheld the right of Republican officials to remove David Duke's name from the party ballot on the grounds that he did not represent the Republican Party. In Maryland, a federal court upheld the secretary of state's decision to exclude from the Democratic ballot the names of former U.S. Sen. Eugene McCarthy and former Irving, Calif., Mayor Larry Agran. Maryland law also provides that the secretary should list those who generally are recognized as presidential candidates in the state, a provision designed to protect the "favorite son" concept. The court further rejected the claim of a Baltimore man who argued he met the state media recognition test.

Overturning lower court decisions, the Wisconsin Supreme Court and the U.S. Court of Appeals in a Connecticut case placed on the ballot the names of presidential candidates who had not been recognized by the authorities in those states. Both federal and state courts in most cases seemed acutely aware of the political situation at the time of their ruling. New Mexico agreed to place potential litigants on the ballot rather than defend the process by which certain candidates were excluded.

Rights of Political Parties

The right of political parties to control the nomination process was affirmed in several decisions during the 1990-1991 period. The Republican Party won an Alaska court decision restricting participation in the party primary to registered Republicans or to people unaffiliated with any party. Alaska law provides for a "blanket" primary in which the voter is permitted to vote for candidates in both political parties, though not on both parties' ballots for the same office. Unless the law or party rules are changed, in 1992 primary elections Republicans will be permitted to vote for candidates of any party, but Democrats will be denied an opportunity to vote for Republican candidates.

The Green Party, a new political party in California and the sixth party recognized for the ballot, won a court order allowing it to implement its own bylaws even though they do not conform with state law.

Green Party rules provide that the party will determine which offices to contest and that a primary will be held *only* for those offices. The rules also state that a candidate becomes the Green Party nominee only if that candidate receives more votes than any other candidate and has more votes than the total number of ballots left blank for that office. Both rules are designed to protect the party against "raiding," a practice by which an individual not in sympathy with Green Party objectives files for an otherwise uncontested office and becomes the party nominee by default.

The court ordered the secretary of state to recognize and abide by the Green Party's duly promulgated rules relating to direct primary elections with one exception. The judge thought voters might not realize that a blank vote would be counted in such a way to disqualify a candidate. The judge therefore ordered, and the Green Party agreed, that the words "*none of the above*" be placed on the ballot in contested primary elections. Only a candidate that received more votes than opponents and also more than "*none of the above*" would be nominated. If "*none of the above*" received the greatest number of votes, there would be no party nominee for that office.

California law also requires established political parties to conduct a presidential primary election, but the Green Party bylaws do not provide for a presidential primary in 1992. The secretary of state's office made no attempt to enforce this provision, and it was not an issue in court.

Absentee Voting

During 1990 and 1991, states continued to ease requirements for absentee voting. Oklahoma and Iowa joined Texas and California in no longer requiring that an absentee voter give a reason for absence or even be absent from home. In these states, anyone can vote by absentee ballot. In 1990, solicited by vigorous absentee voting drives conducted by the two major political parties, Iowans cast more than 90,000 absentee ballots, about 10 percent of the total turnout.

Colorado became the latest state to abolish a requirement that absentee ballot signatures be notarized. As of the end of 1991, only eight states — Alabama, Alaska, Connecticut, Delaware, Michigan, Mississippi, Rhode Island and Vermont — still required notary verification of absentee ballot signatures.

Meanwhile, as the use of absentee ballots increased, so did prosecutions for vote fraud involving such ballots. Federal law enforcement authorities warned state officials to be alert to unusual patterns of absentee ballot requests, multiple absentee ballots sent to single addresses, and high percentages of absentee ballots coming from small areas.

Oklahoma joined Texas in allowing all voters to cast ballots before the election at various places in their counties. Texas no longer calls the practice "absentee voting" but prefers the term "early voting." The practice has proven popular with voters who take advantage of it, but there is little evidence that people who otherwise would not vote *are* voting because it is more convenient.

Some candidates fear early voting has the potential to change the nature of an election from a one-day event. If early voting begins to account for 15 percent to 25 percent of all votes cast, the timing and impact of campaign activities will be directly affected.

Voter Registration

States continue to ease voter registration requirements and procedures. At least 29 states, with a substantial majority of the national population, now permit voters to register by mail. Voters in 22 states can register when they obtain or renew a driver's license. Many of these states have adopted what have become known as "motor-voter" laws, following the introduction, but not the passage, of a federal law that would have mandated the states to establish such a procedure.

Many states also provide voter registration at state and local government offices serving the public, such as unemployment offices, welfare offices, public schools and public libraries.

Staffing the Polls

Critical shortages of poll workers in many locations were exacerbated by a federal law that requires Social Security tax to be deducted from the compensation of election workers who earn more than $100 per year. Many state officials believe the law costs the states more in administrative costs than the federal government receives. Local election officials testified before a congressional committee that the deduction has triggered wholesale resignations among older poll workers, many of whom are on Social Security and see it as grossly unfair. Pay for most poll workers is less than the minimum wage.

Costs to local jurisdictions include the employer contribution, about 7.5 percent, plus the administrative effort of establishing tiny accounts of barely more than $100. Nationally, the total number of such accounts approaches one million, with all expenses incurred by state and local governments. Some local jurisdictions have decided to absorb the tax to allow the poll workers to receive the same pay. While an effort has been made in the 102nd Congress to amend the tax law to remove this provision, the matter generally is considered a low priority in Washington.

To supplement the poll worker pool, several states have taken to heavy recruitment advertising, something that was not done when political parties were strong and nominated most poll workers. In addition to newspaper advertising, Sacramento County, Calif., places "Help Wanted" posters in retail businesses and other public places. Several states have passed laws allowing minors to serve as poll workers under specific conditions. Minnesota, for example, followed a procedure introduced by Hawaii and now allows 16- and 17-year-old students to serve as poll workers at a reduced pay rate. No more than one-third of the election officials at any polling place may be younger than 18.

Campaign Finance

State legislators focused their campaign reform efforts during 1990-1991 on fund-raising practices and personal use of campaign contributions.

Florida enacted legislation refinancing the state's campaign finance trust fund with revenue from filing fees and assessments and a voluntary $5 checkoff on tax returns and driver's license and motor vehicle registration forms. The law provides for a 2 - 1 matching of contributions of $250 or less for candidates who abide by voluntary spending limits of $5 million for gubernatorial candidates and $2 million for cabinet positions. Florida also limited individual contributions to $500.

New Hampshire passed a law allowing candidates who agree to spending limits to be placed on the ballot without submitting petitions. At the same time, however, petition requirements were raised substantially. Almost all New Hampshire candidates now agree to spending limits, but the law is being challenged by one of four congressional candidates who qualified for the ballot by petition.

Rhode Island has a new law prohibiting public officials from using their official budgets for brochures or advertisements featuring their likenesses or accomplishments during a period preceding the election. Texas now prohibits gubernatorial candidates from reimbursing themselves more than $500,000 per election, or a total of $1.5 million if a primary, runoff and general election are held.

"1991 saw more activity in more different areas of campaign finance reform than any other year in recent memory," according to Ronald Michaelson, executive director of the Illinois State Board of Elections. Michaelson cited 10 areas of increased activity.

Contribution limits continued to be the most popular reform, with 10 states and two cities, Denver and Los Angeles, passing new laws in the area. In what might be the first law limiting contributions to party office, Connecticut added a limitation on contributions to candidates for party convention delegates and banned corporate contributions to such candidates.

Contribution limits also were regulated by time and place. Seven states enacted legislation prohibiting legislators from accepting contributions during at least a portion of the legislative session. Florida now prohibits campaign contributions in public buildings. Indiana law provides that state employees cannot be solicited for contributions during working hours.

Nineteen states passed laws increasing the authority of their campaign finance regulatory agencies, including enhanced investigatory powers and power to levy penalties. Several continued or enhanced public financing of election programs, but Delaware now prohibits public funding. Sixteen other states considered but did not pass bills providing for public funding of some campaigns.

Seven states passed laws further regulating corporation or union financial activity in elections. Nine states increased the amount of information required in campaign finance reporting. One of the most significant additional requirements was disclosure of the contributor's occupation and employer.

Legislators also are beginning to react to the increasing tendency of some officeholders to amass large political war chests that can be used to finance other legislators' campaigns. The "donor" legislators may seek to increase their political power by transferring funds to other candidate committees or threatening to withhold contributions from them. Transfers between committees, however, are now banned in Kansas, and Maryland has placed a limit on how much can be transferred during a four-year cycle, the same length as legislators' terms.

One of the most difficult areas to regulate is independent expenditures. Six states passed laws attempting to do so by increasing reporting requirements. In Florida those who make independent expenditures, within 24 hours of obligating the funds, must notify all candidates in the affected area, noting whom the expenditure is designed to support or oppose.

Eight states passed legislation attempting to regulate the use of campaign funds and surpluses, according to Michaelson. In general, personal use has been defined as unacceptable, and some laws have defined acceptable beneficiaries of surplus campaign funds. In Delaware, the law specifically mentions volunteer fire departments as potential recipients of surplus funds.

Although state regulation of federal candidates' financing campaigns may be of doubtful constitutionality, some states still are attempting to remedy what they perceive as Congress' abdication of responsibility in this area. Imaginative bills introduced, but not passed during this period, included a Montana measure creating voluntary spending limits for congressional candidates, with participants rewarded with decreased filing fees. Oregon considered a proposal providing a tax credit to contributors to candidates who limited their out-of-state contributions to half of their receipts.

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Table 5.1
STATE EXECUTIVE BRANCH OFFICIALS TO BE ELECTED: 1992-2001

State	*1992*	*1993*	*1994*	*1995*	*1996*
Alabama	. . .	. . .	G,LG,AG,AR,A,SS,T	. . .	. . .
Alaska (a)	. . .	. . .	G,LG	. . .	. . .
Arizona	(b)	. . .	G,AG,SS,SP,T (b)	. . .	(b)
Arkansas	. . .	. . .	G,LG,AG,A,SS,T (c)	. . .	. . .
California	. . .	. . .	G,LG,AG,C,SS,SP,T	. . .	. . .
Colorado (d)	. . .	. . .	G,LG,AG,SS,T	. . .	. . .
Connecticut	. . .	. . .	G,LG,AG,C,SS,T	. . .	. . .
Delaware	G,LG (e)	. . .	AG,A,T	. . .	G,LG (e)
Florida	. . .	. . .	G,LG,AG,AR,C,SS,SP,T	. . .	. . .
Georgia	(f)	. . .	G,LG,AG,AR,C,SS,SP (f)	. . .	(f)
Hawaii	(g)	. . .	G,LG (g)	. . .	(g)
Idaho	. . .	. . .	G,LG,AG,A,SS,SP,T	. . .	. . .
Illinois (h)	. . .	. . .	G,LG,AG,C,SS,T	. . .	. . .
Indiana	G,LG,AG,SP	. . .	A,SS,T	. . .	G,LG,AG,SP
Iowa	. . .	. . .	G,LG,AG,AR,A,SS,T	. . .	. . .
Kansas	(i)	. . .	G,LG,AG,SS,T(i)	. . .	(i)
Kentucky	. . .	. . .	. . .	G,LG,AG,AR,A,SS,SP,T (j)	. . .
Louisiana (k)	. . .	. . .	. . .	G,LG,AG,SS,T	. . .
Maine	. . .	. . .	G	. . .	. . .
Maryland	. . .	. . .	G,LG,AG,C	. . .	. . .
Massachusetts	. . .	. . .	G,LG,AG,A,SS,T	. . .	. . .
Michigan (l)	. . .	. . .	G,LG,AG,SS	. . .	. . .
Minnesota	. . .	. . .	G,LG,AG,A,SS,T	. . .	. . .
Mississippi	. . .	. . .	. . .	G,LG,AG,AR,A,SS,T (m)	. . .
Missouri	G,LG,AG,SS,T	. . .	A	. . .	G,LG,AG,SS,T
Montana	G,LG,AG,A,SS,SP	. . .	. . .	. . .	G,LG,AG,A,SS,SP
Nebraska (n)	. . .	. . .	G,LG,AG,A,SS,T	. . .	. . .
Nevada	(o)	. . .	G,LG,AG,C,SS,T (o)	. . .	(o)
New Hampshire	G	. . .	G	. . .	G
New Jersey	. . .	G	. . .	. . .	. . .
New Mexico (p)	. . .	. . .	G,LG,AG,A,SS,T	. . .	. . .
New York	. . .	. . .	G,LG,AG,C	. . .	. . .
North Carolina	G,LG,AG,AR,A,SS,SP,T (q)	. . .	. . .	. . .	G,LG,AG,AR,A,SS,SP,T (q)
North Dakota (r)	G,LG,AG,AR,A,SS,SP,T	. . .	. . .	. . .	G,LG,AG,AR,A,SS,SP,T
Ohio	(s)	. . .	G,LG,AG,A,SS,T (s)	. . .	(s)
Oklahoma (t)	. . .	. . .	G,LG,AG,A,SP,T	. . .	. . .
Oregon	AG,SS,T	. . .	G,SP (u)	. . .	AG,SS,T
Pennsylvania	. . .	. . .	G,LG,AG,A,T	. . .	. . .
Rhode Island	G,LG,AG,SS,T	. . .	G,LG,AG,SS,T	. . .	G,LG,AG,SS,T
South Carolina	. . .	. . .	G,LG,AG,AR,C,SS,SP,T (v)	. . .	. . .

See footnotes at end of table.

Key:

. . . — No regularly scheduled elections
G — Governor
LG — Lieutenant governor
AG — Attorney general
AR — Agriculture
A — Auditor
C — Comptroller
SS — Secretary of state
SP — Supt. of public instruction (bb)
T — Treasurer

STATE EXECUTIVE BRANCH OFFICIALS TO BE ELECTED—Continued

State	*1992*	*1993*	*1994*	*1995*	*1996*
South Dakota (w)	. . .	. . .	G,LG,AG,A,SS,T	. . .	. . .
Tennessee (x)	. . .	. . .	G	. . .	. . .
Texas (y)	. . .	. . .	G,LG,AG,AR,C,T	. . .	. . .
Utah	G,LG,AG,A,T (z)	. . .	(z)	. . .	G,LG,AG,A,T (z)
Vermont	G,LG,AG,A,SS,T	. . .	G,LG,AG,A,SS,T	. . .	G,LG,AG,A,SS,T
Virginia	. . .	G,LG,AG	. . .	. . .	. . .
Washington	G,LG,AG,A,SS,SP,T (aa)	. . .	. . .	. . .	G,LG,AG,A,SS,SP,T (aa)
West Virginia	G,AG,AR,A,SS,T	. . .	. . .	. . .	G,AG,AR,A,SS,T
Wisconsin	. . .	SP	G,LG,AG,SS,T	. . .	. . .
Wyoming	. . .	. . .	G,A,SS,SP,T	. . .	. . .
Totals for year					
Governor	12	2	36	3	12
Lieutenant Governor	10	1	30	3	10
Attorney General	10	1	30	3	10
Agriculture	3	0	6	2	3
Auditor	7	0	17	2	7
Comptroller	0	0	10	0	0
Secretary of State	9	0	26	3	9
Supt. of Public Inst. (bb)	5	1	9	1	5
Treasurer	9	0	28	3	9

Key:
. . . — No regularly scheduled elections
G — Governor
LG — Lieutenant governor
AG — Attorney general
AR — Agriculture
A — Auditor
C — Comptroller
SS — Secretary of state
SP — Supt. of public instruction (bb)
T — Treasurer

See footnotes at end of table.

STATE EXECUTIVE BRANCH OFFICIALS TO BE ELECTED—Continued

State	*1997*	*1998*	*1999*	*2000*	*2001*
Alabama	. . .	G,LG,AG,AR,A,SS,T	. . .	. . .	. . .
Alaska (a)	. . .	G,LG	. . .	. . .	. . .
Arizona	. . .	G,AG,SS,SP, T (b)	. . .	(b)	. . .
Arkansas	. . .	G,LG,AG,A,SS,T (c)	. . .	. . .	. . .
California	. . .	G,LG,AG,C,SS,SP,T	. . .	. . .	. . .
Colorado (d)	. . .	G,LG,AG,SS,T	. . .	. . .	. . .
Connecticut	. . .	G,LG,AG,C,SS,T	. . .	. . .	. . .
Delaware	. . .	AG,A,T	. . .	G,LG (e)	. . .
Florida	. . .	G,LG,AG,AR,C,SS,SP,T	. . .	. . .	. . .
Georgia	. . .	G,LG,AG,AR,C,SS,SP (f)	. . .	(f)	. . .
Hawaii	. . .	G,LG (g)	. . .	(g)	. . .
Idaho	. . .	G,LG,AG,A,SS,SP,T	. . .	. . .	. . .
Illinois (h)	. . .	G,LG,AG,C,SS,T	. . .	. . .	. . .
Indiana	. . .	A,SS,T	. . .	G,LG,AG,SP	. . .
Iowa	. . .	G,LG,AG,AR,A,SS,T	. . .	. . .	. . .
Kansas	. . .	G,LG,AG,SS,T(i)	. . .	(i)	. . .
Kentucky	. . .	. . .	G,LG,AG,AR,A,SS,SP,T (j)	. . .	. . .
Louisiana (k)	. . .	. . .	G,LG,AG,SS,T	. . .	. . .
Maine	. . .	G	. . .	. . .	. . .
Maryland	. . .	G,LG,AG,C	. . .	. . .	. . .
Massachusetts	. . .	G,LG,AG,A,SS,T	. . .	. . .	. . .
Michigan (l)	. . .	G,LG,AG,SS	. . .	. . .	. . .
Minnesota	. . .	G,LG,AG,A,SS,T	. . .	. . .	. . .
Mississippi	. . .	. . .	G,LG,AG,AR,A,SS,T (m)	. . .	. . .
Missouri	. . .	A	. . .	G,LG,AG,SS,T	. . .
Montana	. . .	. . .	. . .	G,LG,AG,A,SS,SP	. . .
Nebraska (n)	. . .	G,LG,AG,A,SS,T	. . .	. . .	. . .
Nevada	. . .	G,LG,AG,C,SS,T (o)	. . .	(o)	. . .
New Hampshire	. . .	G	. . .	G	. . .
New Jersey	G	. . .	. . .	. . .	G
New Mexico (p)	. . .	G,LG,AG,A,SS,T	. . .	. . .	. . .
New York	. . .	G,LG,AG,C	. . .	. . .	. . .
North Carolina	. . .	. . .	. . .	G,LG,AG,AR,A,SS,SP,T (q)	. . .
North Dakota (r)	. . .	. . .	. . .	G,LG,AG,AR,A,SS,SP,T	. . .
Ohio	. . .	G,LG,AG,A,SS,T (s)	. . .	(s)	. . .
Oklahoma (t)	. . .	G,LG,AG,,A,SP,T	. . .	. . .	. . .
Oregon	. . .	G,SP (u)	. . .	AG,SS,T	. . .
Pennsylvania	. . .	G,LG,AG,A,T	. . .	. . .	. . .
Rhode Island	. . .	G,LG,AG,SS,T	. . .	G,LG,AG,SS,T	. . .
South Carolina	. . .	G,LG,AG,AR,C,SS,SP,T (v)	. . .	. . .	. . .

See footnotes at end of table.

Key:
. . . — No regularly scheduled elections
G — Governor
LG — Lieutenant governor
AG — Attorney general
AR — Agriculture
A — Auditor
C — Comptroller
SS — Secretary of state
SP — Supt. of public instruction (bb)
T — Treasurer

STATE EXECUTIVE BRANCH OFFICIALS TO BE ELECTED—Continued

State	1997	1998	1999	2000	2001
South Dakota (w)	. . .	G,LG,AG,A,SS,T	. . .	. . .	. . .
Tennessee (x)	. . .	G	. . .	. . .	. . .
Texas (y)	. . .	G,LG,AG,AR,C,T	. . .	. . .	. . .
Utah	. . .	(z)	. . .	G,LG,AG,A,T (z)	. . .
Vermont	. . .	G,LG,AG,A,SS,T	. . .	G,LG,AG,A,SS,T	. . .
Virginia	G,LG,AG	. . .	. . .	. . .	G,LG,AG
Washington	. . .	. . .	. . .	G,LG,AG,A,SS,SP,T (aa)	. . .
West Virginia	. . .	. . .	. . .	G,AG,AR,A,SS,T	. . .
Wisconsin	SP	G,LG,AG,SS,T	. . .	. . .	SP
Wyoming	. . .	G,A,SS,SP,T	. . .	. . .	. . .
Totals for year					
Governor	2	36	3	12	2
Lieutenant Governor	1	30	3	10	1
Attorney General	1	30	3	10	1
Agriculture	0	6	2	3	0
Auditor	0	17	2	7	0
Comptroller	0	10	0	0	0
Secretary of State	0	26	3	9	0
Supt. of Public Inst. (bb)	1	9	1	5	1
Treasurer	0	28	3	9	0

Source: State election administration offices; *Government Organization: Popularly Elected Officials*, U.S. Bureau of the Census, Washington, D.C. (1990).

Note: This table shows the executive branch officials up for election in a given year. Footnotes indicate other offices (e.g., commissioners of labor, insurance, public service, etc.) also up for election in a given year. The data contained in this table reflect information available at press time.

Key:

. . . — No regularly scheduled elections
G — Governor
LG — Lieutenant governor
AG — Attorney general
AR — Agriculture
A — Auditor
C — Comptroller
SS — Secretary of state
SP — Supt. of public instruction (bb)
T — Treasurer

(a) Election of school boards established to maintain system of state dependent public school systems established in areas of the unorganized borough and military reservations not served by other public school systems.

(b) Mine inspector-2 year term; corporation commissioners (3)-2 year terms.

(c) Commissioner of state lands—4 year term.

(d) State board of education (7)—6 year terms; University of Colorado regents (9)—6 year terms.

(e) Insurance commissioner.

(f) Public service commissioners (5)—6 year terms; 1992—1, 1994—2, 1996—2, 1998—1, 2000—2. Commissioner of labor—4 year term, 1994, 1998.

(g) State board of education (13)—4 year terms; 1992—7, 1994—6, 1996—7, 1998—6, 2000—7.

(h) University of Illinois trustees (9)—6 year terms.

(i) Commissioner of insurance 1994; 1998. Board of education members (10)—4 year terms, 1992—5, 1994—5, 1996—5, 1998—5, 2000—5.

(j) Railroad commissioners (3).

(k) Commissioner of elections—4 year term; commissioner of insurance—4 year term; board of elementary and secondary education (8)—4 year terms; public service commissioners (5)—6 year terms.

(l) Michigan State University trustees (8)—8 year terms; University of Michigan regents (8)—8 year terms; Wayne State University governors (8)—8 year terms; board of education (8)—8 year terms, 1992—(2), 1994—(2), 1996—(2), 1998—(2), 2000—(2).

(m) Commissioner of insurance, highway commissioners (3), public service commissioners (3).

(n) Public service commissioners (5)—6 year terms; state board of education (8)—4 year terms; state university regents (8)—6 year terms.

(o) State board of education (11)—4 year terms, 1992—5, 1994—6, 1996—5, 1998—6, 2000—5.

(p) Commissioner of public lands—4 year terms, 1994, 1998; board of education (10)—6 year terms; corporation commissioners (3)—6 year terms.

(q) Commissioner of labor; commissioner of insurance.

(r) Commissioner of labor—4 year term, 1994, 1998; commissioner of insurance—4 year term, 1994, 1998; tax commissioner—4 year term, 1994, 1998; public service commissioners (3)—6 year terms.

(s) State board of education (19) 6 year terms, 1992—7; 1994—6; 1996—6; 1998—7; 2000—6.

(t) Corporation commissioner (3)—6 year terms, 1992, 1994, 1996, 1998, 2000; commissioner of insurance—4 year term, 1994, 1998; commissioner of labor—4 year term, 1994, 1998.

(u) Commissioner of labor and industries—4 year term.

(v) Adjutant general—4 year term.

(w) Commissioner of school and public lands; public utility commissioners (3)—6 year terms, 1992, 1994, 1996, 1998, 2000.

(x) Public service commissioners (3)—6 year terms.

(y) Commissioner of general land office—4 year term; railroad commissioners (3)—6 year terms; board of education (15)—6 year terms.

(z) State board of education (9) 4 year terms, 1992—8, 1994—7, 1996—8, 1998—7, 2000—8.

(aa) Insurance commissioner, commissioner of public lands.

(bb) Superintendent of public instruction or commissioner of education.

Table 5.2
STATE LEGISLATURES: MEMBERS TO BE ELECTED, 1992-2001

State	Total legislators		1992		1993		1994		1995		1996	
	Senate	House	Senate	House	Senate	House	Senate	House	Senate	House	Senate	House
Alabama	35	105	. . .	. . .	. . .	. . .	. . .	. . .	35	105	. . .	. . .
Alaska	20	40	10	40	. . .	. . .	10	40	. . .	. . .	10	40
Arizona	30	60	30	60	. . .	. . .	30	60	. . .	. . .	30	60
Arkansas	35	100	35 (a)	100	. . .	. . .	17	100	. . .	. . .	18	100
California	40	80	20	80	. . .	. . .	20	80	. . .	. . .	20	80
Colorado	35	65	18	65	. . .	. . .	17	65	. . .	. . .	18	65
Connecticut	36	151	36	151	. . .	. . .	36	151	. . .	. . .	36	151
Delaware	21	41	21	41	. . .	. . .	10	41	. . .	. . .	11	41
Florida	40	120	40 (b)	120	. . .	. . .	20	120	. . .	. . .	20	120
Georgia	56	180	56	180	. . .	. . .	56	180	. . .	. . .	56	180
Hawaii	25	51	13	51	. . .	. . .	12	51	. . .	. . .	13	51
Idaho	35 (c)	70(c)	35	70	. . .	. . .	35	70	. . .	. . .	35	70
Illinois	59 (d)	118	59	118	. . .	. . .	20	118	. . .	. . .	39	118
Indiana	50	100	25	100	. . .	. . .	25	100	. . .	. . .	25	100
Iowa	50	100	32 (e)	100	. . .	. . .	25 (f)	100	. . .	. . .	25 (g)	100
Kansas	40	125	40	125	. . .	. . .	. . .	125	. . .	. . .	40	125
Kentucky	38	100	19	100	. . .	. . .	19	100	. . .	. . .	19	100
Louisiana	39	105	. . .	. . .	. . .	. . .	. . .	. . .	39	105	. . .	. . .
Maine	35	151	35	151	. . .	. . .	35	151	. . .	. . .	35	151
Maryland	47	141	. . .	. . .	. . .	. . .	47	141	. . .	. . .	. . .	. . .
Massachusetts	40	160	40	160	. . .	. . .	40	160	. . .	. . .	40	160
Michigan	38	110	. . .	110	. . .	. . .	38	110	. . .	. . .	. . .	110
Minnesota	67	134	67	134	. . .	. . .	. . .	134	. . .	. . .	67	134
Mississippi	52	122	52 (h)	122 (h)	. . .	. . .	. . .	. . .	52	122	. . .	. . .
Missouri	34	163	17	163	. . .	. . .	17	163	. . .	. . .	17	163
Montana	50	100	25	100	. . .	. . .	25	100	. . .	. . .	25	100
Nebraska	49	U	25	U	. . .	. . .	24	U	. . .	. . .	25	U
Nevada	21	42	10	42	. . .	. . .	11	42	. . .	. . .	10	42
New Hampshire	24	400	24	400	. . .	. . .	24	400	. . .	. . .	24	400
New Jersey	40	80	. . .	. . .	. . .	80	. . .	. . .	40	80	. . .	. . .
New Mexico	42	70	42	70	. . .	. . .	. . .	70	. . .	. . .	42	70
New York	61	150	61	150	. . .	. . .	61	150	. . .	. . .	61	150
North Carolina	50	120	50	120	. . .	. . .	50	120	. . .	. . .	50	120
North Dakota	49 (i)	98(i)	25	98	. . .	. . .	25 (f)	98	. . .	. . .	24 (g)	98
Ohio	33	99	16	99	. . .	. . .	17	99	. . .	. . .	16	99
Oklahoma	48	101	24	101	. . .	. . .	24	101	. . .	. . .	24	101
Oregon	30	60	15	60	. . .	. . .	15	60	. . .	. . .	15	60
Pennsylvania	50	203	25	203	. . .	. . .	25	203	. . .	. . .	25	203
Rhode Island	50	100	50	100	. . .	. . .	50	100	. . .	. . .	50	100
South Carolina	46	124	46	124	. . .	. . .	. . .	124	. . .	. . .	46	124
South Dakota	35	70	35	70	. . .	. . .	35	70	. . .	. . .	35	70
Tennessee	33	99	16	99	. . .	. . .	17	99	. . .	. . .	16	99
Texas	31	150	31 (j)	150	. . .	. . .	15	150	. . .	. . .	16	150
Utah	29	75	14	75	. . .	. . .	15	75	. . .	. . .	14	75
Vermont	30	150	30	150	. . .	. . .	30	150	. . .	. . .	30	150

See footnotes at end of table.

STATE LEGISLATURES: MEMBERS TO BE ELECTED—Continued

	Total legislators		*1992*		*1993*		*1994*		*1995*		*1996*	
State	*Senate*	*House*	*Senate*	*House*	*Senate*	*House*	*Senate*	*House*	*Senate*	*House*	*Senate*	*House*
Virginia	40	100	...	...	...	100	...	...	40	100	...	...
Washington	49	98	25	98	...	...	24	98	...	...	25	98
West Virginia	34	100	17	100	...	...	17	100	...	...	17	100
Wisconsin	33	99	16	99	...	...	17	99	...	...	16	99
Wyoming	30	60(k)	30 (k)	60	...	...	15	60	...	...	15	60
Totals	1,984	5,440	1,352	4,909	0	180	1,065	4,928	206	512	1,195	4,787

1997 through 2001 election information begins on next page. Also, see footnotes at end of table.

STATE LEGISLATURES: MEMBERS TO BE ELECTED—Continued

State	1997		1998		1999		2000		2001	
	Senate	*House*	*Senate*	*House*	*Senate*	*House*	*Senate*	*House*	*Senate*	*House*
Alabama	. . .	. . .	. . .	. . .	35	105	. . .	. . .	. . .	. . .
Alaska	. . .	. . .	10	40	. . .	. . .	10	40	. . .	. . .
Arizona	. . .	. . .	30	60	. . .	. . .	30	60	. . .	. . .
Arkansas	. . .	. . .	17	100	. . .	. . .	18	100	. . .	. . .
California	. . .	. . .	20	80	. . .	. . .	20	80	. . .	. . .
Colorado	. . .	. . .	17	65	. . .	. . .	18	65	. . .	. . .
Connecticut	. . .	. . .	36	151	. . .	. . .	36	151	. . .	. . .
Delaware	. . .	. . .	10	41	. . .	. . .	11	41	. . .	. . .
Florida	. . .	. . .	20	120	. . .	. . .	20	120	. . .	. . .
Georgia	. . .	. . .	56	180	. . .	. . .	56	180	. . .	. . .
Hawaii	. . .	. . .	12	51	. . .	. . .	13	51	. . .	. . .
Idaho	. . .	. . .	35	70	. . .	. . .	35	70	. . .	. . .
Illinois	. . .	. . .	40	118	. . .	. . .	19	118	. . .	. . .
Indiana	. . .	. . .	25	100	. . .	. . .	25	100	. . .	. . .
Iowa	. . .	. . .	25 (e)	100	. . .	. . .	25 (f)	100	. . .	. . .
Kansas	. . .	. . .	. . .	125	. . .	. . .	40	125	. . .	. . .
Kentucky	. . .	. . .	19	100	. . .	. . .	19	100	. . .	. . .
Louisiana	. . .	. . .	. . .	. . .	39	105	. . .	. . .	. . .	. . .
Maine	. . .	. . .	35	151	. . .	. . .	35	151	. . .	. . .
Maryland	. . .	. . .	47	141	. . .	. . .	. . .	. . .	. . .	. . .
Massachusetts	. . .	. . .	40	160	. . .	. . .	40	160	. . .	. . .
Michigan	. . .	. . .	38	110	. . .	. . .	110	. . .	. . .	. . .
Minnesota	. . .	. . .	. . .	134	. . .	. . .	67	134	. . .	. . .
Mississippi	. . .	. . .	. . .	. . .	52	122	. . .	. . .	. . .	. . .
Missouri	. . .	. . .	17	163	. . .	. . .	17	163	. . .	. . .
Montana	. . .	. . .	25	100	. . .	. . .	25	100	. . .	. . .
Nebraska	. . .	. . .	24	U	. . .	. . .	25	U	. . .	. . .
Nevada	. . .	. . .	11	42	. . .	. . .	10	42	. . .	. . .
New Hampshire	. . .	. . .	24	400	. . .	. . .	24	400	. . .	. . .
New Jersey	. . .	80	. . .	. . .	40	80	. . .	. . .	. . .	80
New Mexico	. . .	. . .	. . .	70	. . .	. . .	42	70	. . .	. . .
New York	. . .	. . .	61	150	. . .	. . .	61	150	. . .	. . .
North Carolina	. . .	. . .	50	120	. . .	. . .	50	120	. . .	. . .
North Dakota	. . .	. . .	25 (f)	98	. . .	. . .	24 (g)	98	. . .	. . .
Ohio	. . .	. . .	17	99	. . .	. . .	16	99	. . .	. . .
Oklahoma	. . .	. . .	24	101	. . .	. . .	24	101	. . .	. . .
Oregon	. . .	. . .	15	60	. . .	. . .	15	60	. . .	. . .
Pennsylvania	. . .	. . .	25	203	. . .	. . .	25	203	. . .	. . .
Rhode Island	. . .	. . .	50	100	. . .	. . .	50	100	. . .	. . .
South Carolina	. . .	. . .	. . .	124	. . .	. . .	46	124	. . .	. . .
South Dakota	. . .	. . .	35	70	. . .	. . .	35	70	. . .	. . .
Tennessee	. . .	. . .	17	99	. . .	. . .	16	99	. . .	. . .
Texas	. . .	. . .	15	150	. . .	. . .	16	150	. . .	. . .
Utah	. . .	. . .	15	75	. . .	. . .	14	75	. . .	. . .
Vermont	. . .	. . .	30	150	. . .	. . .	30	150	. . .	. . .

See footnotes at end of table.

STATE LEGISLATURES: MEMBERS TO BE ELECTED—Continued

	1997		*1998*		*1999*		*2000*		*2001*	
State	*Senate*	*House*	*Senate*	*House*	*Senate*	*House*	*Senate*	*House*	*Senate*	*House*
Virginia	. . .	100	. . .	. . .	40	100	. . .	. . .	. . .	100
Washington	. . .	. . .	24	98	. . .	. . .	25	98	. . .	. . .
West Virginia	. . .	. . .	17	100	. . .	. . .	17	100	. . .	. . .
Wisconsin	. . .	. . .	17	99	. . .	. . .	16	99	. . .	. . .
Wyoming	. . .	. . .	15	60	. . .	. . .	15	60	. . .	. . .
Totals	0	180	1,085	4,928	206	512	1,285	4,677	0	180

Sources: State election administration offices; *Government Organization: Popularly Elected Officials,* U.S. Bureau of the Census (January 1990).

Note: This table shows the number of legislative seats up for election in a given year. As a result of redistricting, states may adjust some elections. The data contained in this table reflect information available at press time. See Table 3.3, "The Legislators: Numbers, Terms, and Party Affiliations," for specific information on legislative terms.

Key:

. . . — No regularly scheduled elections.

U — Unicameral legislature.

(a) Due to redistricting, elections will be held in all Senate districts in 1992. Of those elected, 17 members will serve a two-year instead of a four-year term.

(b) As a result of reapportionment, elections will be held in all Senate districts during 1992.

(c) Due to redistricting, the membership of the legislature will decrease to 35 members in the Senate and 70 House members with the 1992 elections.

(d) The entire Senate is up for election every 10 years, beginning in 1972. Senate districts are divided into three groups. One group of senators is elected for terms of four years, four years and two years; the second group for terms of four years, two years and four years; and the third group for terms of two years, four years and four years.

(e) Even-numbered districts. As a result of redistricting, seven odd-numbered districts will be included in the 1992 election.

(f) Odd-numbered Senate districts.

(g) Even-numbered Senate districts.

(h) Due to redistricting, elections for all seats will be held in 1992; those members elected will serve a three-year term instead of a four-year term.

(i) Due to redistricting, the membership of the legislature will decrease to 49 members in the Senate and 98 House members, effective with the 1992 elections.

(j) Due to redistricting, elections for all Senate seats will be held in 1992. Fifteen of those elected will serve a two-year term instead of a four-year term.

(k) Redistricting reduced the number of House members from 64 to 60 members. Also as a result of redistricting, elections for all Senate seats will be held in 1992. One-half of the senators elected will serve a two-year instead of a four-year term.

Table 5.3
METHODS OF NOMINATING CANDIDATES FOR STATE OFFICES

State or other jurisdiction	*Method(s) of nominating candidates*
Alabama	Primary election; however, the state executive committee or other governing body of any political party may choose instead to hold a state convention for the purpose of nominating candidates (meetings must be held at least 60 days prior to the date on which primaries are conducted).
Alaska	Primary election.
Arizona	Primary election.
Arkansas	Primary election.
California	Primary election or independent nomination procedure.
Colorado	Assembly/primary; however, a political party may hold a pre-primary assembly (at least 65 days before the primary) for the designation of candidates. Each candidate who receives at least 30 percent of the delegates' vote of those present and voting is listed on the primary ballot, with the candidate receiving the most votes listed first. If no candidate receives at least 30 percent of the vote, a second ballot shall be taken on all candidates, and the two candidates with the highest number of votes will be the candidate placed on the primary ballot. If any candidate receives less than 10 percent of the votes from the assembly, they are precluded from petitioning further.
Connecticut	Convention/primary election. Political parties hold state conventions (convening not earlier than the 68th day and closing not later than the 50th day before the date of the primary) for the purpose of endorsing candidates. If no one challenges the endorsed candidate, no primary election is held. However, if anyone (who received at least 20 percent of the delegate vote on the roll call at the convention) challenges the endorsed candidate, a primary election is held to determine the party nominee for the general election.
Delaware	Convention/primary election; political parties hold state conventions for purpose of selecting delegates and candidates. If candidate unopposed no primary is held.
Florida	Primary election.
Georgia	Primary election.
Hawaii	Primary election.
Idaho	Primary election.
Illinois	Primary election; however, state conventions are held for the nomination of candidates for trustees of the University of Illinois.
Indiana	Primary election held for the nomination of candidates for governor and U.S. senator; state party conventions held for the nomination of candidates for other state offices.
Iowa	Primary election; however, if there are more than two candidates for any nomination and none receives at least 35 percent of the primary vote, the primary is deemed inconclusive and the nomination is made by party convention.
Kansas	Primary election; however, candidates of any political party whose secretary of state did not poll at least 5 percent of the total vote cast for all candidates for that office in the preceding general election are restricted to nomination by delegate or mass convention.
Kentucky	Primary election.
Louisiana	Primary election. Open primary system requires all candidates, regardless of party affiliation, to appear on a single ballot. Candidate who receives over 50 percent of the vote in the primary is elected to office; if no candidate receives a majority vote, a runoff election is held between the two candidates who received the most votes.
Maine	Primary election.
Maryland	Primary election.
Massachusetts	Primary election.
Michigan	Primary election held for the nomination of candidates for governor, U.S. congressional seats and state senators and representatives; state conventions held for the nomination of candidates for lieutenant governor, secretary of state, attorney general, Court of Appeals, circuit and district courts. State convention also held to nominate candidates for Justice of Supreme Court, State Board of Education, Regents of University of Michigan, Trustees of Michigan State University, Governors of Wayne State University.
Minnesota	Primary election.
Mississippi	Primary election.
Missouri	Primary election.
Montana	Primary election.
Nebraska	Primary election.
Nevada	Primary election.
New Hampshire	Primary election.
New Jersey	Primary election.
New Mexico	Primary election.

METHODS OF NOMINATING CANDIDATES FOR STATE OFFICES —Continued

State or other jurisdiction	*Method(s) of nominating candidates*
New York	Committee meeting/primary election. The person who receives the majority vote at the state party committee meeting becomes the designated candidate for nomination; however, all other persons who received at least 25 percent of the convention vote may demand that their names appear on the primary ballot as candidates for nomination. Other candidates not receiving 25 percent of the vote may use a designating petition to put their names on the primary ballot as candidates for nomination
North Carolina	Primary election.
North Dakota	Primary election.
Ohio	Primary election.
Oklahoma	Primary election.
Oregon	Primary election.
Pennsylvania	Primary election.
Rhode Island	Primary election.
South Carolina	Primary election for Republicans and Democrats; party conventions held for three minor parties. All must file with proper election commission by varying dates depending on office.
South Dakota	Primary election. Any candidate who receives a plurality of the primary vote becomes the nominee; however, if no individual receives at least 35 percent of the vote for the candidacy for the offices of governor, U.S. senator, or U.S. congressman, a runoff election is held two weeks later.
Tennessee	Primary election.
Texas	Primary election.
Utah	Convention/primary election. Delegates from the county primary conventions are elected to the state primary convention for the purpose of selecting the political party nominees to run at the regular primary election.
Vermont	Primary election.
Virginia	Primary election; however, the state executive committee or other governing body of any political party may choose instead to hold a state convention for the purpose of nominating candidates (party opting for convention can only do so within 32 days prior to date on which primary elections are normally held).
Washington	Primary election.
West Virginia	Primary election; however, executive committees may make nomination in case of certain vacancies on ballot.
Wisconsin	Primary election.
Wyoming	Primary election.
Dist. of Columbia	Primary election.

Source: State election administration offices.
Note: The nominating methods described here are for state offices; procedures may vary for local candidates. Also, independent candidates may have to petition for nomination.

Table 5.4
ELECTION DATES FOR NATIONAL, STATE AND LOCAL ELECTIONS
(Formulas)

	National			State			Local		
State	Primary	Runoff	General	Primary	Runoff	General	Primary	Runoff	General
Alabama	June, 1st T	. . .	Nov., ★	June, 1st T	June, Last T	Nat.	State	State	Nat.
Alaska	Aug, 4th T	. . .	Nov., ★	Nat.	. . .	Nat.	. . .	. . .	Oct, 1st T
Arizona	8 T Prior	. . .	Nov., ★	Nat.	. . .	Nat.	(a)	. . .	Nat. (a)
Arkansas	2 wks. Prior	June, 2nd T (b)	Nov., ★	Nat.	Nat.	Nat.	Nat.	Nat.	Nat.
California	June, ★	. . .	Nov., ★	Nat.	. . .	Nat.	V	. . .	Nat.
Colorado	Aug, 2nd T	. . .	Nov., ★ (c)	Nat.	. . .	Nat. (c)	. . .	. . .	Nat.
Connecticut	March, T After 4th M (P)	. . .	Nov., ★	56th day Prior	. . .	Nat.	State	. . .	Nat. or May, 1st M (d)
Delaware	Sept., 1st S After 1st M	. . .	Nov., ★	Nat.	. . .	Nat.	. . .	. . .	(a)
Florida	9th T Prior	5th T Prior	Nov., ★ (c)	Nat.	Nat.	Nat. (c)	Nat.	Nat.	Nat. (c)
Georgia	July, 3rd T (N) March, 1st T (P)	. . .	Nov., ★	July, 3rd T	21 days AP	Nat. (c)	V, min. 4 wks. Prior	14-21 days AP	Nat. (e)
Hawaii	Sept., 2nd Last S	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
Idaho	May, 4th T	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
Illinois	March, 3rd T	. . .	Nov., ★	Nat.	. . .	Nat.	February, Last T	. . .	April, 1st T (f)
Indiana	May, ★	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
Iowa	June, ★	. . .	Nov., ★ (c)	Nat.	. . .	Nat. (c)	Nat. (g)	. . .	Nat. (c)
Kansas	Aug, 1st T	. . .	Nov., ★ (c)	Nat. (a)	. . .	Nat. (a)	5 wks. Prior (d)	. . .	April, 1st T (d)
Kentucky	May, ★	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
Louisiana (g)	Oct., 1st S	. . .	Nov., ★	Oct., 2nd to last S	. . .	4th S AP	V	. . .	V
Maine	June, 2nd T	. . .	Nov., ★	Nat.	. . .	Nat.	. . .	. . .	V
Maryland	Sept., 2nd T After 1st M	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
Massachusetts	7th T Prior	. . .	Nov., ★	Nat.	. . .	Nat.	V	. . .	V
Michigan	Aug., ★ (h)	. . .	Nov., ★ (c)	Nat.	. . .	Nat. (c)	Nat.	. . .	Nat. (c)
Minnesota	Sept., ★	. . .	Nov., ★	Nat.	. . .	Nat.	Nat. (a)	. . .	Nat. (a)
Mississippi	June, 1st T (i)	3rd T AP	Nov., ★	Aug., ★ (a)	3rd T AP	Nat. (a)	May, 1st T (a)	2 T AP	June, ★ (a)
Missouri	Aug., ★	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
Montana	June, ★	. . .	Nov., ★	Nat.	. . .	Nat.	Sept., 1st T after 2nd M (a)	. . .	Nat. (d)
Nebraska	May, 2nd T After 1st M	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
Nevada	Sept, 1st T	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
New Hampshire	Sept., 2nd T (c)	. . .	Nov., ★ (c)	Nat.	. . .	Nat.	. . .	. . .	Mar., 2nd T or May, 2nd T
New Jersey	June, ★	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
New Mexico	June, 1st T	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
New York	April, 1st T (P)	. . .	Nov., ★	Sept, ★	. . .	Nat.	State	Sept., 2 wks. AP (a)	Nat.
North Carolina	May, ★	. . .	Nov., ★	Nat.	4 wks. AP	Nat.	V	V	V
North Dakota	June, 2nd T	. . .	Nov., ★	Nat.	. . .	Nat.	. . .	. . .	April 1st T or June 2nd T
Ohio	May, ★	. . .	Nov., ★	Nat.	. . .	Nat.	Nat. (a)	. . .	Nat. (a)
Oklahoma	Aug., 4th T (N) Mar., 2nd T (P)	Sept, 3rd T	Nov., ★ (c)	Nat.	Nat.	Nat.	Nat.	Nat.	Nat.
Oregon	May, 3rd T	. . .	Nov., ★ (c)	Nat.	. . .	Nat.	Nat.	. . .	Nat.
Pennsylvania	May, 3rd T April, 4th T (P)	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
Rhode Island	Sept, 2nd T After 1st M	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
South Carolina	June, 2nd T	. . .	Nov., ★	Nat.	. . .	Nat.	Nat. (a)	. . .	Nat. (a)

Key:
★ — first Tuesday after first Monday
M — Monday
T — Tuesday
TH — Thursday
S — Saturday
Nat. — Same date as national elections
State — Same date as state elections
Prior — Prior to general election
(P) — Presidential election years
(N) — Non-presidential election years
AP — After primary
V — Varies

See footnotes at end of table.

ELECTION DATES FOR NATIONAL, STATE AND LOCAL ELECTIONS—Continued

	National			State			Local		
State	*Primary*	*Runoff*	*General*	*Primary*	*Runoff*	*General*	*Primary*	*Runoff*	*General*
South Dakota	June, 1st T Feb, Last T (P)	. . .	Nov., ★	June, 1st T	. . .	Nat.	State (a)	. . .	Nat.
Tennessee	Aug, 1st T	. . .	Nov., ★	Nat.	. . .	Nat.	May, 1st T March, 2nd T (P)	. . .	Aug, 1st TH
Texas	March, 2nd T	. . .	Nov., ★	Nat.	April, 2nd T	Nat.	Jan, 3rd S or May, 1st S	V	Nat.
Utah	Sept., 2nd T	. . .	Nov., ★ (c)	Nat.	. . .	Nat.	Nat.	. . .	Nat.
Vermont (j)	Sept, 2nd T	. . .	Nov., ★	Nat.	Sept, 4th T	Nat.	. . .	. . .	March, 1st T
Virginia	June, 2nd T	. . .	Nov., ★	Nat.	. . .	Nat.	Nat. or March, 1st T	. . .	Nat. or May, 1st T
Washington	Sept. 3rd T (k)	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
West Virginia	May, 2nd T	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.
Wisconsin	Sept, 2nd T	. . .	Nov., ★	Nat.	. . .	Nat. (l)	Feb, 2nd T	. . .	April, 1st T (l)
Wyoming	Aug, 1st T After 3rd M	. . .	Nov., ★	Nat.	. . .	Nat.	Nat.	. . .	Nat.

Source: State election administration offices.

Note: This table describes the basic formulas for determining when national, state and local elections will be held in each state and is meant to be used as a general guideline for comparing when state elections will be held. For specific information on a particular state, the reader is advised to contact the specific state election administration office. National elections are defined as elections for President, U.S. Senate and U.S. House of Representatives. In some cases, states have elected to provide specific data on variations between national elections in presidential and non-presidential years. Where provided, these variations have been noted.

Key:
★ — first Tuesday after first Monday
M — Monday
T — Tuesday
TH — Thursday
S — Saturday
Nat. — Same date as national elections
State — Same date as state elections
Prior — Prior to general election
(P) — Presidential election years
(N) — Non-presidential election years
AP — After primary
V — Varies

(a) In Arizona, municipalities—not less than 30 days prior to general election. In Delaware, elections are determined by city charter. In Iowa, partisan election only. In Kansas, state and county elections. In Minnesota, county elections only. In Mississippi, state and county elections are held together; municipal elections are held in separate years. In Montana, municipalities only. In New York, runoff in New York City only. In Ohio, municipalities and towns in odd years and counties in even years. In South Carolina, school boards vary.

(b) In Arkansas, a general primary is scheduled for the second Tuesday in June. A preferential primary is held two weeks before the general primary; should no candidate receive a majority vote, the general (runoff) primary is held.

(c) Even years.

(d) Odd years.

(e) Begins odd numbered years in 1993.

(f) Unless that date conflicts with Passover, then 1st Tuesday following last day of Passover.

(g) Louisiana has an open primary which requires all candidates, regardless of party affiliation, to appear on a single ballot. If a candidate receives over 50 percent of the vote in the primary, that candidate is elected to the office. If no candidate receives a majority vote, then a single election is held between the two candidates receiving the most votes. For national elections, the first vote is held on the first Saturday in October of even numbered years with the general election held on the first Tuesday after the first Monday in November. For state elections, the election is held on the second to last Saturday in October with the runoff being held on the fourth Saturday after first election. Local elections vary depending on the location and the year.

(h) Applies to federal, state, county and township offices. Cities may hold their primaries and elections at different times depending on charter or governing statutes. Villages generally hold primary in February and elections in March on an annual basis. Schools for the most part hold annual elections in June.

(i) Except in presidential election year when congressional races correspond to Super Tuesday.

(j) In Vermont, if there is a tie in the general election, the legislature decides winner. In state primary runoffs, the runoff election must be proclaimed within 7 days after time in primary; after proclamation, election is held 15-22 days later. Local elections are held by annual town meetings which may vary depending on town charter.

(k) Other election dates for special elections include: Feb. ★, March 2T, April ★, May, 4T or date of Presidential Primary.

(l) Supt of Public Inst., Supreme Court, Court of Appeals & Circuit Court Justices are elected with local officials.

Table 5.5
POLLING HOURS: GENERAL ELECTIONS

State or other jurisdiction	*Polls open*	*Polls close*	*Notes on hours* (a)
Alabama	No later than 8 a.m.	Between 6 and 8 p.m.	Polls must be open at least 10 consecutive hours; hours set by county commissioner.
Alaska	7 a.m.	8 p.m.	
Arizona	6 a.m.	7 p.m.	
Arkansas	Between 7 and 8 a.m.	7:30 p.m.	
California	7 a.m.	8 p.m.	
Colorado	7 a.m.	7 p.m.	
Connecticut	6 a.m.	8 p.m.	
Delaware	7 a.m.	8 p.m.	
Florida	7 a.m.	7 p.m.	
Georgia	7 a.m.	7 p.m.	
Hawaii	7 a.m.	6 p.m.	
Idaho	8 a.m.	8 p.m.	Polls may open earlier at option of county clerk, but not earlier than 7 a.m. Polls may close earlier if all registered electors in a precinct have voted.
Illinois	6 a.m.	7 p.m.	
Indiana	6 a.m.	6 p.m. local time	
Iowa	7 a.m.	9 p.m.	
Kansas	Between 6 and 7 a.m.	Between 7 and 8 p.m.	Hours may be changed by county election officer, but polls must be open at least 12 consecutive hours between 6 a.m. and 8 p.m.
Kentucky	6 a.m.	6 p.m. (prevailing time)	Persons in line may vote only until 7 p.m.
Louisiana	6 a.m.	8 p.m.	
Maine	Between 6 and 9 a.m.	8 p.m.	Towns with population less than 100 may close after all registered voters have voted.
Maryland	7 a.m.	8 p.m.	
Massachusetts	7 a.m.	8 p.m.	
Michigan	7 a.m.	8 p.m.	
Minnesota	7 a.m.	8 p.m.	Municipalities of less than 500 may establish hours of no later than 10 a.m. to 8 p.m.
Mississippi	7 a.m.	7 p.m.	
Missouri	6 a.m.	7 p.m.	
Montana	7 a.m. noon	8 p.m. 8 p.m.	In precincts of over 200 registered voters. In precincts of less than 200 registered voters, polls may close when all registered electors have voted.
Nebraska	7 a.m. 8 a.m.	7 p.m. (MST) 8 p.m. (CST)	
Nevada	7 a.m.	7 p.m.	
New Hampshire	Varies 11 a.m.	Varies (cities) 7 p.m. (towns)	All polls open not later than 11 a.m. and close not earlier than 7 p.m. In cities, city council shall determine polling hours at least 30 days prior to state elections.
New Jersey	7 a.m.	8 p.m.	
New Mexico	7 a.m.	7 p.m.	
New York	6 a.m.	9 p.m.	
North Carolina	6:30 a.m.	7:30 p.m.	In precincts where voting machines are used, county board of elections may permit closing at 9:30 p.m., provided that all precincts in the county remain open until 9:30 p.m.
North Dakota	Between 7 and 9 a.m.	Between 7 and 9 p.m.	In precincts where less than 75 votes were cast in previous election, polls may open at noon.
Ohio	6:30 a.m.	7:30 p.m.	

See footnotes at end of table.

POLLING HOURS: GENERAL ELECTIONS—Continued

State or other jurisdiction	*Polls open*	*Polls close*	*Notes on hours* (a)
Oklahoma	7 a.m.	7 p.m.	
Oregon	7 a.m.	8 p.m.	
Pennsylvania	7 a.m.	8 p.m.	
Rhode Island	Between 6 a.m. and noon	9 p.m.	Opening hours vary across cities and towns.
South Carolina	7 a.m.	7 p.m.	
South Dakota	7 a.m. 8 a.m.	7 p.m. (MST) 8 p.m. (CST)	
Tennessee	No standard opening time	7 p.m. (CST) 8 a.m. (EST)	Must be open at least 10 hours and no more than 13 hours.
Texas	7 a.m.	7 p.m.	
Utah	7 a.m.	8 p.m.	
Vermont	Between 6 and 10 a.m.	7 p.m.	
Virginia	6 a.m.	7 p.m.	
Washington	7 a.m.	8 p.m.	
West Virginia	6:30 a.m.	7:30 p.m.	
Wisconsin	7 a.m. Between 7 and 9 a.m.	8 p.m. 8 p.m.	1st, 2nd, 3rd class cities. 4th class cities, towns and villages.
Wyoming	7 a.m.	7 p.m.	
Dist. of Columbia	7 a.m.	8 p.m.	

Sources: State statutes and state election administration offices.

Note: Hours for primary, municipal and special elections may differ from those noted.

(a) In all states, voters standing in line when the polls close are allowed to vote; however, provisions for handling those voters vary across jurisdictions.

Table 5.6
VOTER REGISTRATION INFORMATION

State or other jurisdiction	*Mail registration allowed for all voters*	*Closing date for registration before general election (days)*	*Persons eligible for absentee registration* (a)	*Automatic cancellation of registration for failure to vote for ______ years*
Alabama	. . .	10	M/O	4
Alaska	★	30	(b)	2
Arizona	★	29	D,O	1 general election
Arkansas	. . .	20	B,D,S,T	4
California	★	29	(b)	—
Colorado	. . .	25	D,T	2 general elections
Connecticut	★	21 (c)	(b)	—
Delaware	★	3rd Sat. in Oct. (c)	(b)	4
Florida	. . .	30	B,D,E,R,S,T	5 (d)
Georgia	. . .	30	P	3
Hawaii	★	30	(e)	2 elections
Idaho	. . .	17/10 (f)	T	4
Illinois	. . .	29	M/O	6 (d)
Indiana	★	29	B,D,S,T	4
Iowa	★	10	(b)	2
Kansas	★	14	(b)	2 general elections
Kentucky	★	28	(b)	—
Louisiana	. . .	24	D	—
Maine	★	Election day	(b)	—
Maryland	★	29	(b)	5
Massachusetts	. . .	28	D	—
Michigan	. . .	30	D,T	5
Minnesota	★	Election day (g)	(b)	4
Mississippi	★	30	M/O	4
Missouri	. . .	20	B,D,E,R,S,T	—
Montana	★	30	(b)	1 presidential election
Nebraska	★	(h)	(b)	—
Nevada	★	30	M/O	1 general election
New Hampshire	. . .	10	B,D,E,R,S,T	3 elections
New Jersey	★	29	(b)	4
New Mexico	. . .	28	T	8
New York	★	25	(b)	2 general elections
North Carolina	. . .	21 (i)	M/O	2 presidential elections
North Dakota			(j)	
Ohio	★	30	(b)	4
Oklahoma	. . .	10	M/O	8
Oregon	★	20	(b)	2 general elections
Pennsylvania	★	30	(b)	2
Rhode Island	. . .	30	D	5
South Carolina	★	30	(b)	2 general elections
South Dakota	. . .	15	B,D,E	4
Tennessee	★	30	(b)	4
Texas	★	30	(b)	—
Utah	★	5 (k)	(b)	4
Vermont	★	17	(e)	—
Virginia	. . .	30 (l)	T	4
Washington	. . .	30	M/O	2 (m)
West Virginia	★	30	(b)	(n)
Wisconsin	★	Election day (k)	(b)	4
Wyoming	. . .	(g)	B,D,E,R,S,T	1 general election
Dist. of Columbia	★	30	(b)	2
American Samoa	★	30	M/O	2 general elections
Guam	★	10	(b)	1 general election
Puerto Rico	. . .	50	(b)	1 general election
U.S. Virgin Islands	. . .	30	(o)	2 general elections

Source: Adapted from *Vote! The First Steps*. League of Women Voters Education Fund, 1730 M St., N.W., Washington, D.C. (Copyright 1988), and Supplemental Update (1992).

Key:

★ — Mail registration allowed

. . . — Mail registration not allowed

— — No automatic cancellation

(a) In this column: B—Absent on business; C—Senior citizen; D—Disabled persons; E—Not absent, but prevented by employment from registering; M/O—No absentee registration except military and oversees citizens as required by federal law; O—Out of state; P—Out of precinct; R—Absent for religious reasons; S—Students; T—Temporarily out of jurisdiction.

(b) All voters. See column on mail registration.

(c) Closing date differs for primary election. In Connecticut, 1 day; Delaware, 21 days.

(d) In Florida, registration is suspended for failure to vote after two years and cancelled after five years. In Illinois, suspended after four years and cancelled after six years.

(e) Anyone unable to register in person.

(f) With precinct registrar, 17 days before; with county clerk, 10 days.

(g) Minnesota—21 days or election day; Wyoming—30 days or primary election day.

(h) 2nd Friday before election day.

(i) Business days.

(j) No voter registration.

(k) By mail: Utah, 20 days; Wisconsin, 13 days.

(l) Six-13 days for special elections.

(m) Four years if person voted in presidential election.

(n) Two general elections and two primary elections.

(o) No one is eligible to register absentee.

Table 5.7
VOTING STATISTICS FOR GUBERNATORIAL ELECTIONS

	Primary election			*General election*						
State	*Republican*	*Democrat*	*Total votes*	*Republican*	*Percent*	*Democrat*	*Percent*	*Other*	*Percent*	*Total votes*
Alabama	122,190	741,710	863,900	633,519	52.1	582,106	47.9	625	0.1	1,216,250
Alaska (a)	73,839	64,261	138,100	50,991	26.2	60,201	30.9	83,558	42.9	194,750
Arizona	372,324	253,057	625,381	492,569	52.4	448,168	47.6	0	0.0	940,737 (b)
Arkansas	86,977	491,146	578,123	295,925	42.5	400,386	57.5	101	0.0	696,412
California	2,121,728	2,604,853	4,726,581	3,791,904	49.2	3,525,197	45.8	382,366	5.0	7,699,467
Colorado	unopposed	unopposed	0	358,403	35.4	626,032	61.9	26,837	2.7	1,011,272
Connecticut (c)	(d)	131,065	131,065	427,840	37.5	236,641	20.7	476,641	41.8	1,141,122
Delaware ‡	unopposed	unopposed	0	169,733	70.7	70,236	29.3	0	0.0	239,969
Florida	668,181	1,074,056	1,742,237	1,535,068	43.5	1,995,206	56.5	597	0.0	3,530,871
Georgia	118,118	1,052,315 (e)	1,170,433	645,625	44.5	766,662	52.9	37,395	2.6	1,449,682
Hawaii	43,104	202,747	245,851	131,310	38.6	203,491	59.8	5,331	1.6	340,132
Idaho	101,725	unopposed	101,725	101,937	31.8	218,673	68.2	0	0.0	320,610
Illinois	767,695	unopposed	767,695	1,653,126	50.7	1,569,217	48.2	35,067	1.1	3,257,410
Indiana ‡	unopposed	903,040	903,040	1,002,207	46.8	1,138,574	53.2	0	0.0	2,140,781
Iowa	unopposed	200,305	200,305	591,852	60.6	379,372	38.9	5,259	0.5	976,483
Kansas	309,560	172,228	481,788	333,589	42.6	380,609	48.6	69,127	8.8	783,325
Kentucky †	161,107	491,949	653,056	294,452	35.3	540,468	64.7	0	0.0	834,920
Louisiana †	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)	(f)
Maine	unopposed	unopposed	0	243,766	46.7	230,038	44.0	48,688	9.3	522,492
Maryland	127,031	459,350	586,381	446,980	40.2	664,015	59.8	93	0.0	1,111,088
Massachusetts	446,922	1,052,432	1,499,354	1,175,817	50.2	1,099,878	46.9	67,232	2.9	2,342,927
Michigan	473,223	unopposed	473,223	1,276,134	49.8	1,258,539	49.1	29,890	1.2	2,564,563
Minnesota	342,879	393,571	736,450	895,988	49.6	836,218	46.3	74,571	4.1	1,806,777
Mississippi †	63,561	726,465	790,026	361,500	50.8	338,435	47.6	11,253	1.6	711,188
Missouri ‡	unopposed	460,973	460,973	1,339,531	64.2	724,919	34.8	21,478	1.0	2,085,928
Montana ‡	87,921	118,058	205,979	190,604	51.9	169,313	46.1	7,104	1.9	367,021
Nebraska	190,941	167,109	358,050	288,741	49.2	292,771	49.9	5,030	0.9	586,542
Nevada	76,028	88,297	164,325	95,789	29.9	207,878	64.8	17,076	5.3	320,743
New Hampshire	84,035	48,669	132,704	177,773	60.3	101,923	34.5	15,322	5.2	295,018
New Jersey §	387,018	369,323	756,341	838,553	37.2	1,379,937	61.2	35,274	1.6	2,253,764
New Mexico	80,971	181,240	262,211	185,692	45.2	224,564	54.6	980	0.2	411,236
New York	unopposed	unopposed	0	865,948	21.3	2,157,087	53.2	1,033,861	25.5	4,056,896
North Carolina ‡	unopposed	506,073	506,073	1,222,338	56.1	957,687	43.9	0	0.0	2,180,025
North Dakota ‡	unopposed	unopposed	0	119,986	40.1	179,094	59.9	0	0.0	299,080
Ohio	unopposed	815,496	815,496	1,938,103	55.7	1,539,416	44.3	131	0.0	3,477,650
Oklahoma	189,450 (e)	543,006 (e)	732,456	297,584	32.7	523,196	57.4	90,534	9.9	911,314
Oregon	288,040	unopposed	288,040	444,646	40.0	508,749	45.7	159,452	14.3	1,112,847
Pennsylvania	589,799	820,959	1,410,758	987,516	32.3	2,065,244	67.7	0	0.0	3,052,760
Rhode Island	10,801	167,916	178,717	92,177	25.8	264,411	74.1	84	0.0	356,672
South Carolina	unopposed	193,900	193,900	528,831	69.5	212,034	27.9	20,100	2.6	760,965
South Dakota	unopposed	unopposed	0	151,198	58.9	105,525	41.1	0	0.0	256,723
Tennessee	172,001	unopposed	172,001	289,348	36.6	480,885	60.8	20,208	2.6	790,441
Texas	855,231	1,487,260 (e)	2,342,491	1,826,431	46.9	1,925,670	49.5	140,645	3.6	3,892,746
Utah ‡	(d)	(d)	(d)	260,462	40.1	249,321	38.4	139,331	21.5	649,114
Vermont	44,869	16,925	61,794	109,540	51.8	97,321	46.0	4,561	2.2	211,422
Virginia §	401,887	(d)	401,887	890,195	49.8	896,936	50.1	1,947	0.1	1,789,078
Washington ‡	334,441	595,244	929,685	708,481	37.8	1,166,448	62.2	0	0.0	1,874,929
West Virginia ‡	147,468	348,886	496,354	267,172	41.1	382,421	58.9	0	0.0	649,593
Wisconsin	217,723	unopposed	217,723	802,321	58.2	576,280	41.8	1,126	0.1	1,379,727
Wyoming	76,076	43,473	119,549	55,471	34.6	104,638	65.4	0	0.0	160,109

Sources: America Votes; Kentucky and Mississippi election officials.

Note: Figures are for 1990 except where indicated: ‡ 1988; § 1989; † 1991.

(a) In 1990, Walter J. Hickel, the Alaska Independence candidate polled 75,721 votes (38.9% of the total vote) and won the election with a 15,520 plurality.

(b) In 1990, neither major-party candidate won an absolute majority, therefore a runoff election was held on February 26, 1991; the vote shown is for the February runoff.

(c) In 1990, Lowell P. Weicker, the Connecticut Party candidate, polled 460,576 votes (40.4% of the total vote) and won the election with a 32,736 plurality.

(d) Candidate nominated by convention.

(e) Total shown is for first primary. Total votes for runoff elections: Georgia, 956,027; Oklahoma Republican, 186,241; Oklahoma Democratic, 479,849; Texas, 1,122,734.

(f) Louisiana has an open primary which requires all candidates, regardless of party affiliation, to appear on a single ballot. If a candidate receives over 50 percent of the vote in the primary, he is elected to the office. If no candidate receives a majority vote, then a single election is held between the two candidates receiving the most votes.

Table 5.8
VOTER TURNOUT IN NON-PRESIDENTIAL ELECTION YEARS: 1982, 1986 AND 1990
(In thousands)

State or other jurisdiction	1990			1986			1982		
	Voting age population (a)	*Number registered* (b)	*Number voting* (c)	*Voting age population* (a)	*Number registered* (b)	*Number voting* (c)	*Voting age population* (a)	*Number registered* (b)	*Number voting* (c)
Alabama	3,060	2,375	1,216	3,010	2,362	1,236	2,812	2,136	1,128
Alaska	365	300	195	385	292	181	287	266	195
Arizona	2,702	1,860	1,055	2,605	1,589	867	2,061	1,141	726
Arkansas	1,780	1,219	696	1,761	1,189	695	1,650	1,116	789
California	21,709	13,478	7,699	20,878	12,834	7,444	18,277	11,559	7,876
Colorado	2,475	1,922	1,022	2,489	1,822	1,061	2,225	1,456	956
Connecticut	2,516	1,703	1,141	2,492	1,673	994	2,378	1,647	1,084
Delaware	514	299	180	490	296	161	443	286	191
Florida	10,150	6,031	3,531	9,614	5,631	3,430	8,169	4,866	2,689
Georgia	4,827	2,773	1,450	4,665	2,576	1,225	4,040	2,316	1,169
Hawaii	854	453	350	824	420	334	716	405	312
Idaho	710	540	321	701	550	387	661	541	327
Illinois	8,682	6,032	3,257	8,550	6,004	3,144	8,346	5,965	3,691 (d)
Indiana	4,164	2,765	1,513	4,068	2,878	1,556	3,094	2,937	1,817
Iowa	2,100	1,580	984	2,068	1,622	911	2,094	1,586	1,038
Kansas	1,864	1,205	786	1,829	1,173	841	1,759	1,186	763
Kentucky	2,278	1,854	916	2,746	1,999	677	2,620	1,827	700
Louisiana	3,093	2,169	1,391	3,175	2,179	1,370	3,055	1,965	(e)
Maine	931	872	522	893	790	427	831	766	460
Maryland	3,622	2,135	1,111	3,491	2,140	1,113	3,190	1,968	1,139
Massachusetts	4,598	3,214	2,343	4,535	3,006	1,684	4,394	3,027	2,051
Michigan	6,870	5,892	2,565	6,791	5,791	2,397	6,554	5,625	3,040
Minnesota	3,249	2,871	1,808	3,161	2,615	1,416	2,988	2,668	1,805
Mississippi	1,877	1,593	369	1,867	1,652	524	1,745	1,508	645
Missouri	3,893	2,748	1,353	3,821	2,769	1,477	3,640	2,749	1,544
Montana	581	436	319	586	444	318	569	446	321
Nebraska	1,181	891	594	1,167	850	564	1,144	832	548
Nevada	858	516	321	780	368	262	661	322	240
New Hampshire	861	659	295	823	551	251	697	462	285
New Jersey	5,986	3,718	1,938	5,943	3,777	1,554	5,544	3,681	2,194
New Mexico	1,091	658	411	1,101	633	395	936	583	407
New York	13,582	8,202	4,057	13,480	8,071	4,294	13,153	7,635	5,222
North Carolina	5,071	3,348	2,071	4,913	3,081	1,591	4,417	2,675	1,321
North Dakota	478	(f)	234	483	(f)	289	473	(f)	262
Ohio	8,119	5,834	3,478	7,970	5,987	3,121	7,793	5,674	3,395
Oklahoma	2,337	2,011	911	2,404	2,018	910	2,299	1,614	883
Oregon	2,128	1,477	1,113	2,051	1,502	1,060	1,954	1,517	1,042
Pennsylvania	9,221	5,659	3,053	9,060	5,847	3,388	8,883	5,703	3,684
Rhode Island	771	537	364	764	525	323	726	534	343
South Caroiina	2,621	1,355	761	2,534	1,299	754	2,291	1,229	672
South Dakota	518	420	259	509	428	296	482	426	279
Tennessee	3,773	2,460	772	3,661	2,446	1,210	3,375	2,273	1,260
Texas	12,156	7,701	3,893	12,270	7,287	3,441	10,793	6,415	3,191
Utah	1,084	781	442	1,078	763	435	986	749	531
Vermont	428	350	211	412	328	197	379	316	169
Virginia	4,755	2,738	1,153	4,544	2,610	1,043	4,078	2,234	1,415
Washington	3,597	2,225	1,313	3,417	2,230	1,337	3,154	2,106	1,368
West Virginia	1,380	885	404	1,398	946	396	1,408	948	565
Wisconsin	3,617	(f)	1,380	3,563	(f)	1,527	3,464	(f)	1,580
Wyoming	329	222	160	351	235	165	354	230	169
Dist. of Col.	477	308	169	489	282	132	487	361	111

Source: Committee for the Study of the American Electorate; unpublished data from the Republican National Committee.

(a) Estimated as of November 1 of the year indicated. Includes armed forces stationed in each state, aliens and institutional population but does not include Americans abroad.

(b) Registration figures include (nationally) about 10 percent component of those who have died or moved but are still maintained on the voter registration rolls.

(c) Number represents highest total vote cast in general election for either senatorial, gubernatorial or combined U.S. House of Representatives for that year, except where noted.

(d) Total votes for largest race—secretary of state.

(e) Under Louisiana's election law, candidates of all parties run together on a single non-partisan ballot in September. If no candidate wins a majority of the vote, the top two finishers, regardless of party, oppose each other in a November runoff. In 1982, the congressional incumbents were reelected in the September race.

(f) No required statewide registration.

Table 5.9
VOTER TURNOUT FOR PRESIDENTIAL ELECTIONS: 1980, 1984 AND 1988
(In thousands)

	1988			*1984*			*1980*		
State or other jurisdiction	*Voting age population* (a)	*Number registered*	*Number voting* (b)	*Voting age population* (a)	*Number registered*	*Number voting* (b)	*Voting age population* (a)	*Number registered*	*Number voting* (b)
Alabama	3,010	2,380	1,378	2,892	2,343	1,442	2,757	2,132	1,342
Alaska	385	294	200	351	305	208	277	259	158
Arizona	2,605	1,798	1,172	2,268	1,463	1,026	1,970	1,121	874
Arkansas	1,761	1,203	828	1,607	1,268	884	1,628	1,186	838
California	20,875	14,004	9,887	19,181	13,074	9,505	17,548	1,1361	8,587
Colorado	2,489	2,030	1,372	2,353	1,621	1,295	2,123	1,434	1,184
Connecticut	2,492	1,784	1,443	2,401	1,806	1,467	2,304	1,706	1,406
Delaware	490	318	250	459	314	255	432	301	236
Florida	9,614	6,047	4,302	8,665	5,547	4,180	7,578	4,810	3,687
Georgia	4,665	2,941	1,810	4,231	2,372	1,776	3,870	2,377	1,597
Hawaii	824	444	354	758	419	336	697	403	303
Idaho	701	572	409	686	582	411	646	581	437
Illinois	8,550	6,357	4,559	8,438	6,470	4,819	8,235	6,230	4,740
Indiana	4,068	2,866	2,169	3,993	3,054	2,233	3,892	2,944	2,242
Iowa	2,068	1,690	1,226	2,120	1,729	1,320	2,099	1,717	1,318
Kansas	1,829	1,266	993	1,798	1,291	1,022	1,730	1,291	980
Kentucky	2,746	2,026	1,323	2,697	2,023	1,369	2,596	1,759	1,295
Louisiana	3,175	2,228	1,628	3,129	2,262	1,707	2,919	2,015	1,549
Maine	893	855	555	854	811	553	811	760	523
Maryland	3,491	2,310	1,714	3,260	2,253	1,676	3,080	2,065	1,540
Massachusetts	4,535	3,275	2,633	4,443	3,254	2,559	4,278	3,153	2,524
Michigan	6,791	5,953	3,669	6,566	5,889	3,802	6,520	5,726	3,910
Minnesota	3,161	2,917	2,097	3,058	2,893	2,084	2,933	2,353	2,052
Mississippi	1,867	1,596	932	1,802	1,670	941	1,723	1,482	893
Missouri	3,821	2,942	2,094	3,708	2,969	2,123	3,578	2,841	2,100
Montana	586	506	366	591	527	384	560	496	364
Nebraska	1,167	899	661	1,172	903	652	1,133	856	641
Nevada	780	445	350	691	356	287	602	297	248
New Hampshire	823	650	451	734	544	389	672	523	384
New Jersey	5,943	4,011	3,100	5,687	4,073	3,218	5,422	3,766	2,976
New Mexico	1,101	675	521	1,002	651	514	900	653	457
New York	13,480	8,612	6,486	13,301	9,044	6,807	12,933	7,898	6,202
North Carolina	4,913	3,432	2,134	4,593	3,271	2,715	4,274	2,775	1,856
North Dakota	483	(c)	297	493	(c)	309	467	(c)	302
Ohio	7,970	6,323	4,394	7,841	6,358	4,548	7,744	5,887	4,284
Oklahoma	2,404	2,199	1,171	2,408	1,950	1,256	2,207	1,458	1,150
Oregon	2,051	1,524	1,202	1,984	1,609	1,227	1,929	1,569	1,182
Pennsylvania	9,060	5,876	4,536	8,975	6,194	4,845	8,787	5,754	4,562
Rhode Island	764	549	405	735	542	410	710	531	416
South Carolina	2,534	1,438	986	2,382	1,396	969	2,215	1,236	894
South Dakota	509	440	313	508	443	318	488	448	328
Tennessee	3,661	2,417	1,636	3,490	2,580	1,712	3,323	2,149	1,618
Texas	12,270	8,202	5,427	11,436	7,900	5,398	10,130	6,640	4,542
Utah	1,078	807	647	1,023	840	630	935	782	604
Vermont	412	348	243	392	322	235	370	312	213
Virginia	4,544	2,877	2,192	4,235	2,552	2,147	3,930	2,302	1,866
Washington	3,417	2,499	1,865	3,228	2,458	1,884	3,040	2,182	1,742
West Virginia	1,398	969	653	1,422	1,025	736	1,400	1,035	738
Wisconsin	3,536	(c)	2,192	3,485	(c)	2,112	3,375	(c)	2,273
Wyoming	351	226	177	354	240	189	332	219	177
Dist. of Columbia	489	300	193	489	275	211	495	289	175

Source: Committee for the Study of the American Electorate.

(a) Estimated population, 18 years old and over. Includes armed forces in each state, aliens, and institutional population.

(b) "Number voting" is number of ballots cast in presidential race.

(c) No statewide registration required. Excluded from totals for persons registered.

FINANCING STATE AND LOCAL ELECTIONS: TRENDS AND ISSUES

By Keon S. Chi

In recent years, campaign finance has been one of the most controversial and difficult topics to deal with in American politics, not only because of escalating election campaign costs, but also because of ethical issues involved in raising and spending money to get elected. And for most candidates for public office, campaign fund raising is an ordeal. There are more than a half million elected officials holding public office at the federal, state and local levels, and most, if not all, have had a "disgusting experience" in their political lives. As once described by former Vice President Hubert H. Humphrey:

> "Campaign financing is a curse. It's the most disgusting, demeaning, disenchanting, debilitating experience of a politician's life. It's stinky, it's lousy. I just can't tell you how much I hate it. I've had to break off in the middle of trying to make a decent, honorable campaign and go up to somebody's parlor or to a room and say, 'Gentlemen, and ladies, I'm desperate. You've got to help me . . . ' "[1]

While not every candidate for public office would share the late vice president's views on raising campaign funds, no one would deny the increasingly important role money plays in election campaigns. There is no guarantee that money can buy elections all of the time, but studies indicate that candidates who outspend their opponents are very likely to win. Heated debates on campaign finance reform have taken place in the U.S. Congress, state legislatures and city councils across the nation. For example, more than 270 bills were introduced in the 102nd Congress to regulate federal elections, including campaign finance. In 1991, various campaign finance reform proposals were introduced in more than 40 state legislatures. Several large cities also have dealt with campaign finance reform.

Thanks to the work of the Federal Election Commission, established under the Federal Election Campaign Act of 1974, timely information is readily available about campaign finance for presidential and congressional elections. However, 99.9 percent of elected officials in the United States are not covered by this landmark federal law, according to Herbert Alexander.[2] Election campaigns for top state offices, including governors, lieutenant governors, other statewide elective executive officers, state legislators, and many judges, are regulated by 50 different state laws. Candidates for mayor, city council, county supervisor or commissioner, school board member and others are regulated by various types of campaign ordinances in tens of thousands of communities. It is indeed a formidable, if not impossible, task to monitor developments in campaign finance for state and local elections. As a result, most studies have focused on narrow aspects of campaign finance in one state or a few states.[3] However, the last few years have witnessed dramatic growth in campaign finance literature because of the increase in campaign funds and the availability of campaign finance data.

This essay attempts to identify recent trends in campaign financing for state and local elections in the United States, to address key issues in raising and spending money for state and local elections, and to highlight recent developments in a few controversial areas,

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including contributions, expenditures, public financing and reform proposals.

Campaign Contributions

Contribution Sources

Candidates for state and local elective office need to target potential contributors and use the most effective fund-raising techniques to build their war chests. Unlike federal elections where political parties and interest groups serve as major sources of campaign funds, candidates for state and local office tend to rely more on individual contributions. Research suggests that typical individual campaign contributors are "a highly elite, politicized stratum of the electorate" who have been personally solicited by the candidates themselves and that "political contribution is a repetitive and perhaps cumulative behavior."[4]

Traditional campaign fund-raising techniques have remained basically the same over the years. The most popular and effective method has been face-to-face solicitation, followed by mail solicitation, group meetings and telephone solicitation. The direct personal contact method may generate a response rate of nearly 90 percent, while lower response rates, ranging from 50 percent to 70 percent, can be expected from the other techniques.[5]

Political Action Committees

A controversial source of campaign funds for elections in many states and localities has been political action committees (PACs). Through PACs, various interest groups raise and contribute money to political candidates. The number and significance of PACs in state and local elections have been on a steady rise. By 1990, more than 12,000 PACs were in operation throughout the nation.[6] The rapidly increasing number of PACs has been interpreted by some analysts as evidence of the weakened roles of political parties in state and local elections.

In the past two decades, PACs have become powerful mechanisms for channeling campaign funds from a variety of corporate and labor interest groups to political candidates. In some states, as much as one-third of the funds for state legislative candidates have come from PACs,[7] and the amount of PAC contributions has been substantial. For example, PACs contributed nearly $7 million to New Jersey elections in 1989, more than three times the amount they gave four years earlier. Both supporters and critics of PACs, notwithstanding their contrasting views on the utility of these committees, would agree that these committees have exerted a great deal of influence over election outcomes by distributing money to candidates they support.

PACs vary greatly in organization and distribution of money. One recent study on their roles in state politics found that "PACs form around both economic and ideological issues, have very modest organizational structures, solicit funds primarily by direct mail and personal contact, typically delegate responsibility for making campaign contributions to committees which adopt accommodationist strategies, and have extended their activities to include voter education and mobilization."[8] The study also reconfirmed the popular notion that PACs tend to favor incumbents over challengers regardless of candidates' party affiliations and use incumbents' voting records as the most important factor in making decisions on who gets what amount of money. Another study found that one PAC in California gave money to all but one of the incumbents running for re-election in 1986, regardless of the incumbents' political philosophy. According to one campaign finance administrator in California, "PACs give money to people in power, not on philosophy. . . . PACs have too much influence on incumbents."[9]

Contribution Limits

State campaign finance reform usually begins with a reduction in contribution limits. The number of states with such limits on individuals, political parties, PACs and others has increased. Twenty-four states had campaign finance laws limiting the amount of contributions in 1986; that number rose to 42 in 1992.[10] (See Table 5.11, "Campaign Finance Laws: Limitations on Contributions by Organizations," and Table 5.12, "Campaign Finance Laws: Limitations on Contributions by Individuals.") However, it is not a simple task to track down developments in contribution limits because the limits vary depending on the type of election, elective office, contributor and time of contribution.

First, state laws have different contribution limits for primary, run-off and general elections. Graduated limits are used for governors, lieutenant governors, other elective executive officers and legislators, allowing candidates for higher office to spend larger amounts. Local ordinances also provide similar variations. In some states, periodic adjustment of the limits is required to reflect inflation rates and match consumer price increases.

Second, campaign contribution limits vary widely depending on who the contributors are. The maximum amount an individual, other than the candidate and candidate's family, is allowed to give ranges from $100 for a gubernatorial election in Kansas to $20,000 in Minnesota. Twenty-two states limit individual contributions to $2,000 or less. However, unlimited contributions by individuals are permitted in some states for certain elections. Campaign finance laws in seven states prohibit corporations and labor unions from contributing directly from their treasuries. Political parties in Arkansas are allowed to give up to $2,500 to a candidate for statewide elective office, while Minnesota law permits a political party to contribute a maximum of $300,000 for a gubernatorial election.

Third, contribution limits differ depending on when contributions are made (i.e., election year, non-election year, in- or out-of-legislative session, etc). In some states, a candidate's contribution limits differ depending on the opponent's campaign spending levels or on the office sought. For example, PAC contributions to a candidate for state legislative election are limited to $500 in Connecticut and $8,000 in Montana. In addition, some states restrict the use of debt to finance campaigns by limiting loans to a proportion of funds raised or to the same amounts chosen for contribution limits, prohibiting loans without collateral, or by specifying terms and amounts guaranteed. Other states prohibit anonymous contributions, contributions in the name of another person, cash contributions of more than $100, unregistered, out-of-state PACs, and contributions from contractors and foreign nationals who do not reside in the United States. In other states, candidates are prohibited from seeking contributions from government workers. For example, post-election fund raising is prohibited in Kentucky. In many states, judges are not allowed to solicit campaign contributions.

Campaign Spending

Spending Limits

In 1988, candidates across the nation spent about $800 million for state and local elections. Although comprehensive information is not available for those elections in 1990, congressional election spending was down that year from 1988.[11]

Available data indicates continuous growth in campaign spending. For example, total spending for statewide and legislative elections held throughout the country in 1984 was $228.9 million. This figure rose to $312.9 million in 1986, when gubernatorial elections were held in several large states. In 1986, legislative elections cost more than $57 million in California. In 1990, about $100 million was spent on the 100 seats up for legislative election in that state. Costs of gubernatorial elections also have risen. For example, the total cost for 36 gubernatorial races in 1990 was $345.5 million, an increase of 38.6 percent over the 1982 figure ($249 million). In 1990, the total cost of the gubernatorial election in California was more than $53 million; candidates for the Texas gubernatorial race spent $50 million. However, most of the 36 states that held gubernatorial elections in 1990 showed candidates spending between $1 million and $25 million with an average of $7.5 million.[12]

Although states have adopted new laws reducing spending limits, controlling campaign spending has not been without controversy. The three most controversial issues relate to the use of the candidates' own money, surplus funds and soft money.

Candidate's Own Money

According to a 1976 Supreme Court case, *Buckley v. Valeo*, no government can limit political candidates' First Amendment rights to spend their own money on election campaigns as long as they are not receiving matching funds under a public campaign financing program. Several states had to comply with the court case, but that decision has not deterred other states from seeking voluntary or mandatory limits on candidate spending. For example, North Carolina limits the amount candidates can borrow from themselves to a maximum of $4,000, while in Texas, gubernatorial candidates may not reimburse themselves more than $500,000 per election. According to a 1988 Kentucky law, gubernatorial candidates may lend their campaigns no more than $50,000 per election. The threshold is $25,000 for other statewide elections and $10,000 for all other offices.

Surplus and Soft Money

In 1988, only 16 states had laws prohibiting personal use of surplus campaign funds.[13] Since then, several other states have considered tighter restrictions on the conversion of campaign funds to personal or business use. In some states, candidates are required to return money to contributors on a pro-rata basis. In others, however, surplus funds may be used to help other candidates, repay loans, make donations to charitable organizations or pay for expenses attendant to the holding of a public office and ancillary political expenses such as trips to political party conventions.

In several states, new ideas have been proposed regarding the use of excess campaign funds. These ideas include giving surplus funds to the governor, Senate president and House speaker to promote state interests (Arizona), to the state's general fund (Arizona), to the state's controller (California), to an institution that would allow the candidate to benefit (Kentucky), to a college for student scholarships (Maryland) or to a governmental ethics agency (Texas).[14]

Questions have been raised regarding the use of "soft money" for state elections. Soft money includes campaign contributions and expenditures that are not regulated by federal law. Currently, national political parties may raise and channel money from their nonfederal accounts to state parties for certain election campaign activities, such as voter registration drives by certain tax-exempt groups. In the first six months of 1991, for example, the Republican party committees raised $10.8 million and the Democratic party, $3.3 million.[15] There have been some controversies over the large amounts of soft money raised and channeled to state party organizations by national political parties.

Effects of Spending

The idea of controlling campaign spending is based on the proposition that candidates in the same election ought have an equal opportunity to compete. Under the existing laws, critics say "an incumbent has a better chance of dying than of losing." In 1986, California incumbent senators outspent their challengers by a ratio of 62 to 1, and incumbent assemblymen outspent challengers by 35 to 1. Not a single incumbent lost in that legislative election.[16]

On a different note, empirical studies on the effects of campaign spending on election outcomes tend to confirm what one researcher calls "good common political sense." Based on gubernatorial election data, political scientist Thad Beyle found that elections cost more in more populous states, close elections, partisan shifts, open seat races and when unseating incumbents. Campaign spending is more important in primary elections than general elections and in larger jurisdictions.[17] Another study on the effect of competitiveness in legislative elections found that the way money is distributed influences electoral outcomes.[18]

Public Financing

Financing Trends

For some states, public campaign financing has been a solution to spending problems. However, the public financing system has been adopted by states for a variety of other purposes: to reduce candidates' dependency on large contributions, to stimulate competition, to remove some advantages of wealth and permit less affluent candidates to run, to conduct campaigns free of improper influence, and to provide voters with equal political influence in elections.

Four states (Iowa, Maryland, Rhode Island and Utah) enacted public financing laws as early as in 1973, a year before an optional public financing system was adopted for presidential elections under the Federal Election Campaign Act of 1974. But New Jersey was the first state to implement a public financing program for a statewide election. Public money, $32.3 million, was distributed to all candidates in New Jersey's 1977 gubernatorial race.[19] Since then, 24 states have adopted public financing laws.[20]

Florida adopted a new public financing law that one advocate called "arguably the strongest in the nation."[21] The 1991 Florida Legislature created an optional public finance system limiting spending: $5 million for governor and $2 million for a statewide cabinet seat. The system is funded by surcharges on PAC and political party contributions, filing fees and add-on fees and taxes. Any shortfall is supplemented from the state's general funds. Perhaps the most drastic change in the law is the provision limiting all contributors — individuals, PACs and corporations — to $500. The law also set a $100 limit on contributions by anyone under age 18 to prevent big contributors from channeling contributions through their children.

Most public finance programs are for gubernatorial or statewide elections. Public financing for legislative elections often is seen as too costly because of the large numbers of candidates. Only Minnesota and Wisconsin provide financing for legislative elections. Several bills have been introduced in the New Jersey Legislature for public financing of legislative elections, and a staff report concluded that "public financing would greatly increase the integrity of the campaign process as it applies to legislative elections in New Jersey."[22] At the local level, only four cities (Seattle, Tucson, Los Angeles and New York) and two counties (Sacramento, Calif., and King, Wash.) have adopted public financing.

Public financing is more likely to be supported by Democrats than Republicans. A 1980 survey of members of the lower house in eight states found that more than 60 percent of the Democratic legislators who responded favored public financing, while 25 percent of the Republican legislators did.[23]

Operations

Public financing provisions normally include a qualifying threshold, contribution and expenditure limits, a public funds cap, a private-public funds matching ratio, and aggregate local party expenditures limitations.

The programs are funded mostly through check-off fees or add-on fees; and participation has been greater in states using the former.[24] (See Table 5.14 "Funding of State Elections: Tax Provisions and Public Financing.") Under the income tax check-off method, a state diverts money from its general funds for public financing, and the add-on method allows individual taxpayers to contribute a small sum of their tax refunds for public financing. In eight states, a tax credit is used. For example, Michigan taxpayers may credit $2 of their tax liability to the public campaign fund; in Montana, a tax deduction of up to $100 is allowed; and a tax credit with a maximum of $50 is used in Oregon for public financing. Other sources of public financing include legislative appropriations; contributions that must be paid along with fees to obtain personalized license plates, as in Indiana; and a portion of property and income tax returns, as in Minnesota.

To receive public funding, candidates must comply with several stipulations. For example, Minnesota candidates must have collected qualifying contributions equal to 5 percent of the spending limit; candidates receive $2 for every $1 in contributions until the total reaches 66 percent of the spending limit. In the general election, major party nominees for governor and lieutenant governor are eligible for public financing up to 75 percent of the spending limit, while minor party candidates receive lesser amounts. In many states, however, much of the public money goes to political parties rather than to candidates. Some states do not channel money directly to candidates because of concerns that party officials might lose control over their political agenda to other entities, such as PACs or political consultants.

Implementation

New Jersey, the first state to implement public financing, is one of the states where the system has been successful. Commenting on in public financing for gubernatorial elections, a 1991 New Jersey staff report stated, "It has significantly altered the way gubernatorial campaigns are funded by eliminating undue influence from the process and enabling more candidates to run for the state's highest office. This later development, at least conceptually, has provided the voters with a greater number of policy positions to choose from, a fact that has to be considered good for democracy."[25]

However, several states have experienced difficulties in collecting sufficient funds for public financing. In Rhode Island, the public financing system had a $1 million deficit because of insufficient citizen participation in the income tax check-off. The legislature decided to use money from the state's general fund to implement a new public financing law. In the past few years, governors in California, Iowa and Illinois have vetoed public financing bills passed by their state legislatures. In 1991, Connecticut, Illinois and New York rejected public financing proposals. Some of the 24 states with public financing laws, including Oklahoma and Maryland, have never fully utilized their public fund sources. Much more information is necessary to determine whether public financing has had an impact on election outcomes, especially for incumbent state officials.

Local Campaign Finance

Although no systematic compilation of data on local campaign financing exists, available figures indicate that campaign spending for local elections is rising as fast as spending for state elections. However, it appears that local governments are slower to adopt new initiatives. To compare campaign financing for state and local elections and to review recent developments in municipal elections, this section briefly highlights campaign finance trends in California's cities, including Los Angeles, and in New York City.

While California might not necessarily represent other states in an examination of local election campaigns, the state appears to be an ideal place for further investigation. "More California cities and counties (over 60) have enacted local campaign finance laws than have all the rest of the cities and counties in the United States combined," according to a study by the California Commission on Campaign Financing.[26] In California, campaign expenditures in the state's 453 cities and 58 counties increased by 1,300 percent in the past 10 years. In the 1988 mayoral elections in San Francisco, three candidates spent more than $1 million each, and individual candidates' for Los Angeles County supervisorial races spent from $500 to $2.8 million. In small cities with populations between 10,000 and 150,000, spending jumped from $1 per vote to $4 per vote between 1974 and 1985. During the same period, in medium-sized cities and counties with populations between 150,000 and one million, candidates for various offices spent between $25,000 to $1 million. California's cities and counties have since initiated measures to control campaign spending.

The California study confirms research findings on state campaign finance. For example, spending in city and county elections is strongly correlated with the level of competition; open seat races cost more; candidates spend far more on overhead, including fund-raising activities and other administrative costs, than on voter contacts, including media campaigns; voter contact spending is higher in competitive elections; incumbents dominate challengers in fund raising as well as spending; dominant contributors in larger jurisdictions are businesses; incumbents also dominate fund raising in non-election years; and a challenger's own money is important for a successful campaign.

Los Angeles was slower in adopting campaign finance reform initiatives than other California cities. In June 1990, Los Angeles voters passed a charter amendment (Measure H) establishing a new campaign finance system limiting spending and providing public financing for local elections. The amendment to the Los Angeles City Charter provides for partial public financing, increased financial disclosure and increased salaries for the mayor, city councilmen, city attorney and city controller. Under the measure, city council candidates may receive up to $100,000 in matching funds from the city for a primary election and up to $125,000 for a general election. Spending limits are $300,000 and $250,000 for a primary and general election respectively.[27] But the legality of Measure H has been in dispute.

With a great deal of media publicity, New York City has experimented with public financing under its Campaign Finance Act of 1989. The public financing system's primary goal is to reduce the wealthy contributors' influence on election campaigns. Five elective offices, including mayor, comptroller, city council president, borough president and city council member, are covered by the act. In 1989, more than $4.5 million in matching funds was distributed among 48 candidates who participated in the public financing program. According to the New York City Campaign Finance Board, the campaign finance law "effectively controlled" campaign spending for the 1989 city elections.[28]

In 1991, the 1989 Campaign Finance Act was amended to lower the threshold for 1991 city council candidates, from $7,500 to $5,000, an amount that must be raised by a candidate to receive public matching funds. The act also sets a single contribution limit of $3,000 for both primary and general elections, gives candidates more time to decide to join the public financing program, requires candidates to maintain meaningful public disclosure and reduces candidates' reporting obligations.[29] A total of 256 city council candidates joined the Campaign Finance Program in the 1991 council elections, receiving up to $40,000 in matching funds for each primary and general election.

Enforcement and Reform

Disclosure Enforcement

State campaign finance laws require candidates for statewide offices and legislatures to file a financial disclosure report with a central state reporting agency directly or through county or district offices. Yet, in practice, too many jurisdictions still do not have adequate disclosure of campaign funding sources.[30]

State laws normally require financial disclosure in three categories: money, loans and in-kind contributions, such as office space, use of automobiles and computer services. Disclosure laws also require the designation of contributions received from lobbyists, disclosures of people who paid at least 25 percent of the cost of independently financed campaign materials, and political party reports of contributions and expenditures as PACs.

These disclosure laws were designed to help the public cast votes based on information about candidates raising and spending campaign money before election day. Many states have not followed up with pre-election reports, however. Some states require little or no disclosure until after their elections. Penalties for late filing range from no penalty to a fine, imprisonment and denial of nomination or election. A 50-state survey on campaign finance disclosure concluded that "most states seldom impose civil penalties and virtually never invoke criminal sanctions. Even with late fees, agencies tend to impose the minimum penalty available and sometimes none at all."[31]

States administer their campaign finance laws through three types of state agencies. As of 1991, candidates in 25 states were required to report on their financial status to secretaries of states; candidates in 11 states were required to report to state election boards; and candidates in 13 states reported to special commissions charged with enforcing campaign finance or ethics laws. In one state (Utah), candidates reported to the office of the lieutenant governor.[32] A typical commission or board is made up of six or seven members appointed by the governor and legislative leaders, is staffed by five to eight employees and operates on a relatively small budget. A recent survey of such boards and commissions found that some of them are "underfinanced, understaffed, and overworked."[33]

Reform Proposals

State legislatures were more active in dealing with campaign finance in 1991 than in previous years. Ten states passed major bills limiting campaign contributions; seven states adopted measures to limit fund raising; 19 states passed bills to strengthen regulatory powers of campaign finance and ethics agencies; seven states passed bills to further regulate corporation and union contributions; 15 states proposed legislation to regulate negative and false campaign advertising; 18 states considered legislation to limit the transfer of funds between committees; and 21 states considered bills to regulate personal use of campaign funds. In addition, six states changed some aspects of their campaign financing administration. Kansas and Oklahoma changed the names of their ethics commissions; Missouri and North Carolina transferred the responsibility for campaign financing administration from the secretary of state and the state treasurer, respectively, to their ethics commissions; and South Carolina and Texas strengthened their ethics commissions.[34]

Reform proposals introduced but not enacted during the 1991 legislative sessions include a ban on in-session contributions from lobbyists (Minnesota), an initiative requiring the resignation of elected officials before filing for nomination documents (California), a bill prohibiting lobbyists from serving as treasurers for candidates (Kansas), a bill further limiting individual and PAC contributions to a maximum of $20 (New Jersey), a bill imposing a year-round ban on lobbyists raising campaign funds (Maryland), a bill requiring candidates and PACs to retain a record of the telephone numbers of callers (New Jersey), a bill permitting voters to approve a constitutional amendment allowing changes to election laws (Oregon), a bill defining independent expenditures (Oregon), an initiative designed to recognize candidates with "good campaign practices" in voters' pamphlets (Washington), and legislation imposing civil penalties up to $100 per day for each day a candidate fails to meet a filing deadline (Texas).[35]

Model Laws

After three years of work, in December 1990, a committee of the Council on Governmental Ethics Laws released a model law on campaign finance to assist state jurisdictions seeking public financing, improved disclosure, public access to reports, and convenient filing locations. The model law's provisions deal with contributions by government contractors, independent expenditures by PACs and timely reporting of large contributions. To monitor and enforce state campaign finance laws, the model law calls for the creation of an independent bipartisan commission with the authority to address various violations.[36]

A similar model ordinance has been developed for local governments by the California Commission on Campaign Financing. Key provisions of the "Text of Proposed Model Ordinance for Cities and Counties" include spending limits, matching funds, contribution limits, a ban on transfers of funds, prohibitions or limits on fund raising in non-election years, a ban on contributions from government contractors, and stricter disclosure requirements and tough enforcement measures. These provisions reflect Proposition 73, which was approved by California voters and amended the California Political Reform Act in 1988, limiting the amount of contributions from individuals, PACs and political parties.[37]

Conclusions

American voters have a long history of electing their representatives, but until recently they did not pay much attention to the costs of campaigns. Most campaign finance reform measures have been initiated in the past two decades. Today, political candidates and voters in many states and communities are talking about changes, radical changes. The findings of this essay strongly suggest that a long agenda is ahead of many states.

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Table 5.10
CAMPAIGN FINANCE LAWS: GENERAL FILING REQUIREMENTS
(As of January 1992)

State or other jurisdiction	*Statements required from*	*Statements filed with*	*Time for filing*
Alabama	Political committees.	Secy. of state: for statewide and judicial offices, state Senate, House of Representatives and district attorney as well as with the judge of probate in counties of district: for state senate or representative, and county offices.	45 days before and between 10 and 5 days before an election; annually on January 31.
Alaska	State candidates and municipal candidates in municipalities of more than 1,000 residents; ongoing organizations; a business entity, labor organization, or municipality making a contribution/expenditure; groups and individuals contributing more than $250 to any group or candidate.	Alaska Public Office Commission (central office).	30 days and one week before election; 10 days after election; and annually on January 15 for contributions and expenditures not reported the prior year. (a)
Arizona	Candidates, committees, and continuing political organizations.	Secy. of state: for state offices and state measures (including state legislature). Clerk of board of supervisors: for judges seeking retention and county offices. City or town clerk: for city or town offices or measures.	10-15 days before primary and 20 days after a primary; 10-15 days before and 20 days after a general or special election; supplemental reports annually by April 1 for contributions and expenditures subsequent to post-election reports.
Arkansas	Candidates whose cumulative contributions exceed $500; exploratory committees; approved political action committees.	Secy. of state and county clerk of county where candidate resides.	Generally, a monthly report due within 15 days after the end of each month; pre-election report due 7 days before any election; quarterly supplemental report due within 15 days of the end of each quarter.
California	Candidates, committees and elected officeholders. (b)	Secy. of state, registrar of Los Angeles and San Francisco and clerk of country of residence; legislative candidates, board of equalization, court of appeals and superior court judges file with Secy. of state, clerk of county with largest number of registered voters in the district and clerk of county of domicile. (c)	Semi-annual: July 31 and January 31 for all candidates and committees, whether or not they received contributions or made expenditures, and all elected officers, except judges, whose salary is less than $100 per month, and judges file only if they received contributions or made expenditures. Periodic: for elections in June or November of even-numbered years: March 22, 12 days before June election, October 5, and 12 days before the November election. (d)
Colorado	Candidates; political committees (except those which spend or receive less than $250 in a calendar year and are organized to support or oppose a ballot issue); and persons making independent expenditures more than $100.	Non-municipal elections: either Secy. of state (statewide, legislative, district, or multi-county candidates) or appropriate county clerk and recorder (other officers). Municipal elections: municipal clerk. Non-statewide multi-county issues: county clerk and recorder of each appropriate county.	11 days before and 30 days after elections. (e) Supplemental reports are required annually on the anniversary of the election until a report shows no unexpended balance or deficit.
Connecticut	Candidates, political committees, and party committees spending or receiving more than $1,000 in any election.	Generally with Secy. of state, with local candidates and referendum committees filing with town clerks.	Generally: 2nd Thursday of January, April, July and October; 7th day before each regular state election; 45 days after election and 30 days after primary. State central committees: January 30, April 10, July 10; 12 days before any election. Supplemental reports: 7 days after distribution of surplus, or, if deficit, 90 days after primary or election, then 30 days after increase in deficit.
Delaware	Candidates and committees.	State Election Commissioner.	20 days before election; December 31 of year of election; December 31 of year after election, and annually on December 31 until contributions and expenditures are balanced and the fund is closed.

See footnotes at end of table.

GENERAL FILING REQUIREMENTS—Continued

State or other jurisdiction	*Statements required from*	*Statements filed with*	*Time for filing*
Florida	Candidates, political committees, committees of continuous existence, political party executive committees and persons making independent expenditures of $100 or more unless no funds have been received or reportable expenditures made during reporting period.	Candidates file with officer before whom candidate qualifies, with copy to supervisor of elections in candidate's county of residence for other than statewide candidates. Statewide committees file with division of elections, while other committees file with county supervisor of elections.	Generally by the 10th day of each calendar quarter after treasurer is appointed through last day of qualifying for office and on the 4th, 18th and 32nd days preceding first and second primaries; and on the 4th and 18th days immediately preceding the general election for an opposed candidate, political committee or committee of continuous existence. Candidates receiving public funds file on the 4th, 11th, 18th, 25th and 32nd days prior to first primary and general election, and on the 4th, 11th, 18th, and 25th days prior to the second primary. Any candidate who becomes unopposed files within 90 days of that date.
Georgia	Generally, those making or accepting contributions in excess of $500 on behalf of a candidate for election, a referendum, or recall.	Secy. of state for statewide candidates and referenda. Secy. of state with copy to superintendent of elections in county of candidate's residence for general assembly candidates. Local superintendent of elections for other offices and elections.	45 days and 15 days before and 15 days after primary, 15 days before general or special election, 6 days before general and nonpartisan runoff election and December 31 of election year; following December 31 for winning candidates.
Hawaii	Candidates, parties and committees; committees that form within 10 days before an election and spend $1,000 or more.	Original and a copy with Campaign Spending Commission. In counties of less than 200,000 voters, file original and two copies with either Commission or clerk in county where candidate resides.	Generally 10 working days before each election, 20 days after primary, and 30 days after a general or special election. Supplemental reports in the event of surplus or deficit over $250 are filed on the 5th day after the last day of election year, and every 6 months thereafter.
Idaho	Candidates, political committees, organizations that contribute more than $500 to a political committee, and any person who makes an expenditure of more than $50.	Secy. of state.	By 7 days before and 30 days after election. Supplemental reports in the event of an unexpended balance or expenditure deficit are filed annually on January 31.
Illinois	Treasurers of state and local political committees.	State Board of Elections for state political committees; county clerk for local political committees; State Board of Elections and county clerk for political committees acting as both state and local political committee.	Reports of campaign contributions: 15 days before each election. Semi-annual reports of contributions and expenditures: January 31 and July 31.
Indiana	Political committees, candidate committees, regular party committees, and political action committees.	State Election Board. Local candidates and committees file with county election board of each county in district. General Assembly candidates file duplicate with board of candidate's county of residence.	14 days (postmarked) or 11 days (hand-delivered) before election or convention; 20 days after convention if no pre-convention report was filed; annually by January 15 (by March 1 for political party committee).
Iowa	Candidates and committees receiving contributions or making expenditures in excess of $250 ($500 for candidates for city or school office).	Statewide office: Campaign Finance Disclosure Commission. County, city or school office: county election commissioner. State statutory political committee: Commission. Other statutory political committee: county election commissioner and copy to Commission.	May 20, July 20, October 20, and January 20 annually, except for committees for city and school office candidates who file 5 days before the election and the first of the month thereafter. In years in which no primary or general election is held, a state or city committee is not required to file the May and July reports. A candidate's committee is not required to file the May, July, and October reports in a year in which the candidate is not standing for election.
Kansas	Candidates, political committees, party committees, constitutional amendment committees, and persons making independent expenditures of more than $100.	State offices elected statewide. with Secy. of state. Constitutional amendments: Kansas Commission on Governmental Standards and Conduct. State offices elected on less than statewide basis: with Secy. of state and county election officer of residence. Local offices: county election officer.	Generally, 8 days before election, and January 10 each year. Constitutional amendment committees file each February 15 and 15 days before and 15 days after elections.

See footnotes at end of table.

GENERAL FILING REQUIREMENTS—Continued

State or other jurisdiction	Statements required from	Statements filed with	Time for filing
Kentucky	Candidates, campaign committees, permanent committees, and political party executive committees.	Kentucky Registry of Election Finance. Duplicate reports filed with clerk in county where candidate resides. Campaign committee files with appropriate central campaign committees.	Candidates/campaign committees: 32nd and 12th day before an election, and 30 days after an election. Candidates have five days from filing deadline to file with Registry. Party executive committees: 30 days after an election. Permanent committees: last day of each calendar quarter. Semi-annual supplemental reports required June 30 and December 31 until fund shows a zero balance.
Louisiana	Candidates for major or district office; candidates for other office who receive contributions of more than $200 from any one source or make expenditures of more than $5,000; political committees, persons not a candidate who make independent expenditures or accept contributions other than to or from a candidate or committee more than $500; persons who accept contributions or make expenditures more than $200 to support or oppose propositions.	Supervisory Committee on Campaign Finance Disclosure.	Candidates and committees: 180th, 90th, 30th and 10th day before primary; 10th day before and 40th day after general election. Annual reports by February 15 for most surpluses/deficits. (f)
Maine	Candidates, political committees, political action committees, and persons making independent expenditures in excess of $50.	Commission on Governmental Ethics and Election Practices.	6 days before and 42 days after each election; gubernatorial candidates also file January 15 and July 15 in non-election years if they received or spent more than $1,000 in that year, and 42 days before an election.
Maryland	Candidates receiving contributions of $300 or more; political committees; party central committees; slates.	Candidates and their noncontinuing committees and slates file with the board with which candidate filed statement of candidacy. Party central committees and all continuing committees file with the State Administrative Board of Election Laws. Government contractors file with Secy. of state.	4th Tuesday before primary, 2nd Friday before any election, and earlier of the 3rd Tuesday after general election or before taking office. Central and continuing committees also file annually on the date of the last general election. If there is a surplus or deficit, 6 months after general election, one year after general election, and annually on the election anniversary until the surplus or deficit is eliminated.
Massachusetts	Candidates and political committees.	City or town candidates and committees: with city or town clerk. Other candidates: with Director of Campaign and Political Finance.	Candidates for General Assembly: 8 days before primary, 8 days before general election, and January 10 of year after general election. Candidates for other than non-city or town offices and political committees: 3rd business day after designating depository and January 10 of year after general election.
Michigan	Candidates, political and independent committees, party committees, and ballot question committees; certain persons making independent expenditures.	Secy. of state: candidates for state elective office, judicial office and all political party committees. County clerk: candidates for local office.	Candidate committees, party committees, ballot question committees: 11 days before and 30 days after election; committees other than independent committees: not later than January 31 of each year; political or independent committees (PACs) filing on state level: January 31, July 25, October 25.
Minnesota	Candidates, party committees, political committees, and persons making independent expenditures of more than $100.	Ethical Practices Board; Board files a duplicate of legislative candidate reports with the auditor in each county of the district.	Candidates for statewide, legislative, and high court offices file 10 days before a primary and general election and January 31 annually. (g)
Mississippi	Candidates and political committees.	Secy. of state if candidate for statewide, state district or legislative office; circuit clerk of appropriate county for all others.	For years other than 1995 and every 4th year thereafter: 7 days before any election; January 31 to cover the entire prior calendar year. For 1995 and every 4th year thereafter, detailed reporting dates are specified.

See footnotes at end of table.

GENERAL FILING REQUIREMENTS—Continued

State or other jurisdiction	*Statements required from*	*Statements filed with*	*Time for filing*
Missouri	Committees, candidates who spend or receive more than $1,000 or receive a single contribution of more than $250, and persons making independent expenditures of $500 or more.	Secy. of state for statewide office candidates and committees, and candidates for the supreme or appellate courts. Candidates for legislative office, circuit court, and county clerk file with the Secy. of state and election authority of the candidate's place of residence. Varied requirements for other candidates. (h)	40th and 7th day before and 30th day after election with minor exception. (i) Supplemental reports are required each January 15 if contributions or expenditures of $1,000 or more were made or received since the last report. A supplemental report is required if post-election report shows outstanding debts greater than $5,000; this report must be filed until the deficit is less than $5,000.
Montana	Candidates and political committees (except in certain school districts and special district elections).	Commissioner of Political Practices and election administrator of county where candidate is resident or political committee has headquarters.	Statewide office candidates and related political committees: pre-election year quarterly reports on the 5th day after each quarter; March 10th and September 10th in an election year; 15 and 25 days before an election; not more than 20 days after an election; March 10th and September 10th of each year following an election until closing report is filed. State district office candidates and related political committees: 10th day before election, not more than 20 days after election, and whenever closing report is filed. Other public office candidates and related political committees: same as for state district office if contributions or expenditures to campaign exceed $500. Statewide ballot issue committee: pre-election year reports on the 5th day of each quarter; March 10th, and 10th day of subsequent month through September; 15 and 25 days before election; within 20 days after election. Independent committees: 10th day before election, not more than 20 days after election, and when closing report at the end of the calendar year is due. (j)
Nebraska	Candidate committees, political party committees, independent committees, and ballot question committees upon raising, receiving, or spending more than $2,000 in a calendar year.	Nebraska Accountability and Disclosure Commission. Copies to be filed with election commissioner or county clerk, as appropriate, depending on the type of committee.	By 30th day and 10th day before a primary or general election, and 40th day after each election. Annual statement due by January 31 for preceding year if statements not required to be filed during previous years or did not receive or expend more than $200 during previous year. (k)
Nevada	State, district, county, township, and city office candidates; persons that make candidate-related independent expenditures if any contributions received (except political party) or individual/cumulative expenditures exceed $500; ballot question advocacy persons and groups if any contributions received or individual/cumulative expenditures exceed $500; and committees for the recall of a public officer if individual/cumulative contributions or expenditures exceed $500. Persons include individuals, corporations, business and voluntary associations, labor unions, political action committees, and political party committees.	Secy. of state: candidate for statewide office, state senator, or assemblyman in multi-county district, or any other office with multi-county district; person making independent expenditures for a candidate elected from other than a single city or county; committee for the recall of a public officer; and ballot question advocacy group for a question voted on in other than a single county or city. County clerk: candidate for state senator or assemblyman voted on in a single county; county or township office; person making independent expenditures for a candidate elected only from the county; and ballot question advocacy group for a question voted on only in the county. City clerk: candidate for city office; person making independent expenditures for a candidate elected only from the city; and ballot question advocacy group for a question voted on only in the city.	Candidate at primary or general election: 15 days before primary, 15 days before general election, and 15th day of 2nd month after general election. City office candidate: 15 days before city primary, 15 days before city general election, and 15th day of 2nd month after city general election. Candidate at recall election: contributions report 30 days after election and expenses report 60 days after election. Candidate at special district office election: 15 days before election, contributions report 30 days after election, and expenses report 60 days after election. Recall committee: if petition for recall not filed, 30 days after notice of intent to circulate petition expired; if court does not order special recall election, 30 days after court decision; and if court orders special recall election, 15 days before and 30 days after election. Person making candidate-related independent expenditures and ballot question advocacy group: 15 days before primary election or city primary election, as appropriate; 15 days before general election or city general election, as appropriate; and 15th day of second month after election.
New Hampshire	Candidates for governor, councilor, state senator, representative to General Court, and county office whose expenditures exceed $500, and political committees (including political party committees) whose receipts or expenditures exceed $500.	Secy. of state.	Wednesday 12 weeks before primary (except political committee of candidate or political party), Wednesday 3 weeks before election, and 2nd Wednesday after election. Every 6 months after election until obligations satisfied or surplus depleted. (l)

See footnotes at end of table.

GENERAL FILING REQUIREMENTS—Continued

State or other jurisdiction	*Statements required from*	*Statements filed with*	*Time for filing*
New Jersey	Candidates, political committees, and continuing political committees (including political party committees). Detailed reports are not required if the total amount expended on behalf of a candidacy does not exceed $2,000; however, aggregate contributions over $100 from a single source must be reported by candidate. Reporting exemptions are provided for political committees and continuing political committees.	New Jersey Election Law Enforcement Commission. In case of candidates for municipal, county-wide, or school district office, a copy is filed with the county clerk of county of candidate's residence.	Candidates and political committees: 29th day and 11th day before election and 20th day after election, and if post-election report is not the final report, every 60 days thereafter until certification of winding up of business (final report) is filed. Continuing political committees: by April 15th, July 15th, October 15th, and January 15th of each calendar year. Aggregate contributions, expenditures, or testimonial affair or public solicitation proceeds over $100 to be reported within 20 days after $100 aggregate exceeded, starting with 19th day after election. (m)
New Mexico	Candidates (except candidates who file a statement that they anticipate receiving or spending less than $500 per primary or general election), special purpose political committees (except committees authorized by a candidate and included in the candidate's report), and general purpose political committees.	Secy. of state: statewide elective offices, multi-county state legislative offices, judicial offices (except magistrates), multi-county district offices, and general purpose political committees. County Clerk: county elective offices, magistrates, and single-county state legislative offices. Special purpose political committees, if supporting or opposing candidate, file with same filing officer as candidate, or with Secy. of state, if involved with constitutional amendment or question.	Candidates and special purpose political committees: by 10 days before and 30 days after an election, 6 months after an election if contributions remain unexpended or debts unpaid, and every 12 months after an election as long as unpaid debts remain. General purpose political committee: by 10 days before and 30 days after an election.
New York	Candidates and political committees; however, filing is not required for candidates or their authorized political committees (1) that do not expend more than $50 in a calendar year or $1,000 in a reporting period, (2) before an uncontested primary election, or (3) for an election in a city, town, or village of less than 10,000 unless total receipts or expenditures exceed $1,000.	Candidates: presidential electors, state executive or legislative offices, supreme court justices, constitutional convention delegates, and multi-county party positions (if not wholly within New York City), with State Board of Elections; other public offices (except village offices and party positions in a single county or New York City), with city or county board of elections, as appropriate; and village offices if election not on general election day, with county board of elections. Political Committees: with State Board of Elections, except committees taking part solely in an election for a candidate required to file with a local board of elections, are also required to file with local board. County political party committees file with the county board of elections. Committees are required to file with other boards in certain instances.	Primary elections: 32nd and 11th day before and 10th day after contested primary election. Runoff primary: 4th day before and 10th day after primary. General election: 32nd day and 11th day before and 27th day after the election. Periodic statements are also required by January 15 and July 15 in each subsequent year until activities terminated. (n)
North Carolina	Candidates, political committees, referendum committees, and individuals making independent contributions or expenditures over $100; however, municipal and county offices in municipalities and counties under 50,000 are not required to file reports. Candidates and political party committees whose contributions, expenditures, and loans will not exceed $1,000 can be exempted from reporting.	State Board of Elections: candidates, political committees, and persons making independent contributions or expenditures over $100 with respect to candidates for state and multi-county offices and referendum committees with respect to statewide referenda. County Board of Elections: candidates, political committees, and persons making independent contributions or expenditures over $100 with respect to candidates for single-county district, county and municipal offices.	Primary election: by 10th day before primary (and 10th day after primary if candidate eliminated); if there is a second primary, by the 10th day after the primary if the candidate was eliminated. General election: by 10th day before election. Annual report if contributions are received or expenditures made during the calendar year for which no reports are otherwise required, by last Friday in January of following year. Candidates and political committees in elections in municipalities over 50,000 must submit reports according to the schedule for the particular method under which the election is conducted. Individuals making independent contributions or expenditures over $100 must report within 10 days after the contribution or expenditure is made.

See footnotes at end of table.

GENERAL FILING REQUIREMENTS—Continued

State or other jurisdiction	*Statements required from*	*Statements filed with*	*Time for filing*
North Dakota	Candidates for statewide or legislative office who receive any contributions more than $100 during a calendar year; political parties that receive contributions of more than $100 and contribute money to a statewide or legislative office candidate of more than $100; political committees administering PACs; and persons who solicit or accept contributions aggregating more than $100 in a calendar year concerning statewide referenda and initiatives.	Secy. of state: state office candidates, political parties, political committees, and statewide initiative/referendum group or person. State legislative candidates file with the county auditor in the candidate's county of residence.	Candidates: by 10th day before primary and general election and January 30 of following calendar year. (o) Political committees: by October 15th, with supplemental statement by January 30. Referendum/initiative group or persons: by 10th day before election and by January 30.
Ohio	Committees and political parties.	Secy. of state: statewide and state board of education offices, state political committees, and state and national political parties. County board of elections: offices within county and multi-county district (file in county with greatest population), county political committees, and county political parties.	12th day before and 38th day after an election: annual statement on the last business day of January except in year post-general election statement is filed.
Oklahoma	Candidates, candidate committees, and other committees accepting contributions or making expenditures.	State Ethics Commission: state and county candidates/candidate committees and other non-local committees. Clerk of political subdivision: municipal and school board candidates/committees and supporting/opposing committees.	10th day before primary, runoff and general election, and 40th day after general election. Supplemental report if contributions received or expenditures made within 6 months after general election to be filed within 6 months and 10 days after election; if contributions received or expenditures made after 6-month period, on January 15 of each year thereafter. Separate comprehensive reporting schedule applies to committees for or against a state question.
Oregon	Candidates (or their principal campaign committees) and political committees.	Secy. of state: statewide, state, and congressional district office. County Clerk: non-city office within a county. County clerk in county where the chief administrative officer is located: multi-county district office. Chief city election officer: city office.	29-39 days and 5-8 days before election and 30 days after election. (p) If the post-election statement shows an unexpended balance of contributions or expenditure deficit, a post-election annual supplemental statement is required until there is no balance or deficit.
Pennsylvania	Candidates and political committees if amount received or expended or liabilities incurred exceed $250 during a reporting period.	Report concerning candidate: office with which a candidate files nomination documents, either the Secy. of the Commonwealth or appropriate county board of elections. If report concerns both candidates who file nomination documents with the Secy. and those who file with county boards, then with the Secy. of the Commonwealth.	Statewide office candidates and political committees influencing statewide election: by 6th Tuesday and 2nd Friday before primary and general election. All other committees: 2nd Friday before primary and general election. All candidates and political committees: 30 days after election and annual report on January 31 of each year until no balance or debt; then termination report may be filed.
Rhode Island	Candidates, political action committees, and state and municipal party committees that receive contributions of over $200 from one source in a calendar year, or spend more than $5,000 in the aggregate on behalf of a candidate or question.	State Board of Elections.	28th and 7th day before a primary, general or special election, and 28th day after an election (final report). Political party committee must file annual report by March 1. Ongoing reports due 120 days after election and at 90-day intervals thereafter until dissolution of campaign fund or completion of a committee's business regarding the past election.
South Carolina	Candidates and committees.	State Ethics Commission: non-legislative candidates and non-legislative committees. State Senate or House of Representatives ethics committee, as appropriate: legislative candidates and caucus committees.	Initial report: if receipt or expenditures of contributions exceeds $500, 10 days after threshold amount met; if $500 threshold not met, 15 days before an election. Subsequent reports: 10 days after calendar quarter in which contributions are received or expenditures are made, whether before or after an election. Independent expenditure by committee within 20 days before an election to be reported immediately if more than $10,000 for statewide office candidate, or $2,000 for any other candidate. Final report may be filed at any time when contributions no longer received or expenditures made or incurred.

See footnotes at end of table.

GENERAL FILING REQUIREMENTS—Continued

State or other jurisdiction	*Statements required from*	*Statements filed with*	*Time for filing*
South Dakota	State executive, state legislative, and county office candidates or candidate's committees; political action committees that participate in an election; political party committees; persons or ballot question committees involved with a question or constitutional amendment at a statewide election; and persons and political committees involved with a question at a non-statewide election.	Secy. of state: state office and legislative office candidates and candidate's committees, political party committees, political action committees, and persons involved with a statewide question. County auditor: county office candidates and candidate's committees. Person in charge of an election: persons and committees involved with a non-statewide question.	State office candidates: last Tuesday prior to primary and general election, and by February 1 for preceding calendar year or remainder not covered by previous report. (q) Legislative and county office candidates: by July 1 and December 31 of election year. Person or committee involved with a statewide election: by July 1 of election year and last Tuesday before election; annually thereafter by February 1. (q) Person or committee involved with non-statewide question: 10 days before and 30 days after election.
Tennessee	Candidates and political campaign committees.	Registry of Election Finance: state office candidates and political campaign committees in state elections. Appropriate county election commission: local office candidates and committees for local elections. General Assembly candidates and their political committees file a copy with the county election commission where the candidate resides.	Candidates, single-candidate political campaign committees, and single-measure political campaign committees: if political treasurer appointed more than one year before election, by February 1 each year through year of election; in election year, 7 days before and 48 days after each election. If unexpended balance, continuing obligations or expenditure deficit exists after the post-election statement is filed, a supplemental annual statement must be filed. Multi-candidate political campaign committees: within 10 days after each quarter. (r)
Texas	Candidates, officeholders and political committees (except political party county executive committees with aggregate contributions and expenditures of $5,000 or less in a calendar year).	Secy. of state, county clerk or clerk or secretary of non-county subdivision. (s)	Candidates, officeholders and political committees: semi-annual reports by July 15 and January 15. Opposed candidates and political committees in an election year: pre-election reports by 30th and 8th day before each election day (and by 8th day before runoff election day, if applicable). General purpose political committee may elect to file monthly by 5th day of each month in lieu of semi-annual and pre-election reports. Opposed candidates and specific purpose political committees may elect to file only semi-annual reports if aggregate contributions and expenditures do not exceed $500 in an election. Local officeholders not required to file for a reporting period in which aggregate contributions and expenditures do not exceed $500.(t)
Utah	Candidates for governor, lieutenant governor, state auditor, state treasurer, attorney general, state senator, state representative; candidates for county office and for city offices in cities of the first or second class; political action committees and political issues committees that receive contributions or make political expenditures of $750 or more in a calendar year; and corporations that make political expenditures of $750 or more in a calendar year.	Lieutenant Governor: state executive and legislative office candidates, political action committees, political issues committees, and corporations. County clerk: county office candidates. City recorder: city office candidates.	State executive/legislative office candidates: interim reports due 7 days before party convention if contest, 7 days before primary if candidate involved, 7 days before general election; summary report due December 31st of general election year; statement of dissolution and final summary report may be submitted at any time. County and city office candidates: if candidate loses at primary, report due 30 days after primary, otherwise, due 30 days after general election. political action committees, political issues committees, and corporations: annually by December 31st, 7 days before primary, and 7 days before general election.
Vermont	State executive office candidates, state legislative, county and local office candidates who have accepted contributions or made expenditures of $500 or more; political parties; and political committees that have accepted contributions or made expenditures of $500 or more in a calendar year.	Secy. of state: state executive office candidates, political committees, and political parties. Officer with whom candidate files nomination papers: state legislative, county, and local office candidates.	State executive office candidates, political committees, and political parties: 40 and 10 days before primary and general election; 10 days after general election; and July 15 and annually thereafter or when all contributions and expenditures have been accounted for and any indebtedness and surplus funds eliminated. Political committees and political parties involved in a local election also file 10 days before and 10 days after the election with the municipal clerk. State legislative and county office candidates: 10 days before primary and general election, and within 30 days after the general election; annual reporting as for state executive office candidates. Local office candidates: 10 days before and 10 days after the election.

See footnotes at end of table.

GENERAL FILING REQUIREMENTS—Continued

State or other jurisdiction	*Statements required from*	*Statements filed with*	*Time for filing*
Virginia	Candidates or campaign treasurers (other than in elections for office in towns of less than 25,000, or for director of soil or water conservation districts); political action committees, state political party committees, and other committees (except district, county, and city political party committees) that expend over $500 for a statewide election or over $100 for any other election; political party committees that receive earmarked contributions of over $100; and inauguration fund committees.	State Board of Elections: all statewide candidates, political action committees, political party committees, inauguration fund committees, and other committees. State Board of Elections and electoral board where candidate resides: candidates for General Assembly and a constitutional office shared by two or more counties and cities. Electoral board where candidate resides: all candidates for local office.	Candidates: all candidates except local office candidates in May general election: May 1 of election year; 8th day before primary, July 15, August 15, October 1, 8th day before general election, and December 1; January 15 and July 15 of next year; and January 15 in subsequent years. Candidates for state executive or state legislative office also file by January 15 a pre-election year annual report, if applicable, beginning with first year (other than election year) when a contribution is accepted or expenditure made. Local office candidates in May general election: 8th day before primary and general election, June 15 and July 15 in election year, and January 15 of the next and subsequent years. A final report is required and reporting terminates whenever final report is filed regardless of filing schedule. (u) Political action committees, political party committees, and other committees: January 15 (annual report), 8 days before 1st Tuesday in March and May, 8 days before 2nd Tuesday in June, 8 days before Tuesday after first Monday in November, and 30th day after November general election; final report is required. (u) Inauguration fund committees: March 15 after inauguration; July 15 of inauguration year; January 15 each year until final report is filed.
Washington	Candidates and political committees except in election campaigns for federal elective office and precinct committee officer. Candidates and political committees concerning an office whose constituency covers less than an entire county and contains less than 5,000 voters and in jurisdictions with less than 1,000 voters are exempted unless the exemption is voided.	Public Disclosure Commission and auditor or elections officer of county in which the candidate resides. Continuing political committees file reports with the Public Disclosure Commission and auditor or elections officer of county in which the committee maintains its office or headquarters.	At time campaign treasurer is designated; 21st and 7th day before and by the 10th day of the month following an election; 10th day of each month in which no other reports are required if a contribution is received or expenditure made in the previous month provided total contributions or expenditures since last report exceed $200; and at time campaign fund is closed and campaign concluded (final report). Post-primary report not required for candidate whose name will appear on general election ballot, or from continuing political committee. Continuing political committees also file monthly reports by 10th day if total contributions or expenditures since last report exceed $200. Candidates and political committees may file only post-election reports if they qualify for abbreviated campaign reporting or candidates may file only the registration statement if they qualify for mini-campaign reporting. (v)
West Virginia	Candidates, financial agents, party committee treasurers, and persons, associations of persons and organizations (including corporations) that support or oppose a candidate or issue, and their treasurers or equivalent officer.	Secy. of state: state and multi-county political subdivision offices. Clerk of the county commission: all other offices.	Last Saturday in March or within 15 days thereafter before the primary; 7-10 days before and 25-30 days after a primary, general or special election; and annually on last Saturday in March or within 15 days thereafter if contributions or expenditures exceed $5,000 or any loan is outstanding.

See footnotes at end of table.

GENERAL FILING REQUIREMENTS—Continued

State or other jurisdiction	*Statements required from*	*Statements filed with*	*Time for filing*
Wisconsin	Candidates and personal campaign committees, political committees, political groups, individuals, and conduits that meet minimum criteria concerning contributions, disbursements, obligations, or transfers. A political committee, political group, or individual, if other than a candidate or personal campaign committee, is exempted from registration and reporting if it does not make or accept contributions, make disbursements, or incur obligations of over $25 in a calendar year. Elections for presidential elector, convention delegate, and precinct committeeman are exempted from registration and reporting. Persons, political committees, and political groups (except political committees and individuals required to file a statement under oath concerning independent candidate-related disbursements) that do not anticipate aggregate contributions, disbursements, or obligations of over $1,000 in a calendar year and receipt of single-source contributions of over $100 in a calendar year are exempt from reporting.	State Elections Board: political party committees, state office candidates and committees, committees and individuals in both state and local office elections, and political groups and individuals involved with statewide referenda. Clerk of the most populous jurisdiction: local office candidates and committees (and duplicates of certain reports required to be filed with State Elections Board) and committees and individuals involved with local referenda only. City Clerk: city school district elections. School district clerk: other district school elections.	8-14 days before a primary or general election; continuing semi-annual reports between January 1 and 31 and July 1 and 10 until a termination report is filed. (w)
Wyoming	Candidates, candidates' campaign committees, political action committees, state and county political party central committees, and referendum/initiative organizations.	Secy. of state: statewide office candidates, state and county political party central committees, state legislative, and district judge candidates and their supporting committees. County clerk: state legislative and district judge candidates and supporting committees, other office candidates and supporting committees, and political party county central committees.	Candidates: within 10 days after an election. Non-party committees: within 10 days after an election; political action committees and candidates' campaign committees formed after an election to defray campaign expenses and any ongoing committees also report semi-annually on July 1 and December 31 of each odd-numbered year until committee terminates. Party committees: 10 days after general or special election. Initiative or referendum organizations: within 10 days after petition submitted. Ballot proposition organizations: within 10 days after election.
Dist. of Columbia	Candidates spending more than $250 in any one election; political committees; persons making independent expenditures of $50 or more.	Director of Campaign Finance.	Each year: January 31. Election years: 10th day of March, June, August, October and December; 8 days before an election. Non-election years: July 31. (x)

See footnotes at end of table.

GENERAL FILING REQUIREMENTS—Continued

Source: Edward D. Feigenbaum and James A. Palmer, *Campaign Finance Law 92* (Washington, D.C.: National Clearinghouse on Election Administration, Federal Election Commission, 1992).

Note: This table deals with filing requirements for state and local offices in general terms. For detailed legal requirements, state statutes should be consulted.

(a) Contributions exceeding $250 made within one week before election must be reported within 24 hours.

(b) Short forms may be used by candidates and officeholders who raise and spend less than $1,000 in calendar year. There are three types of committees: (1) recipient committees receive $1,000 in contributions in a year; (2) independent expenditure committees make independent expenditures of $1,000 in a year; and (3) major donor committees make contributions of $10,000 in a year.

(c) Statewide officers, candidates, and committees: Original and one copy with the Secy. of state, two copies with the Registrar-Recorder of Los Angeles Country, two copies with the Registrar of Voters of the County of San Francisco, and two copies with the filer's county of domicile. State legislature, Board of Equalization, Appellate and Superior Court elections: Original and one copy with Secy. of state, two copies with the country clerk with the largest number of registered voters in the district affected, and two copies with the filer's county of domicile. Other multi-county elections (offices in jurisdiction other than legislative, Board of Equalization, or appellate court district that contain parts of two or more counties); original and one copy with the county clerk with the largest number of registered voters in the jurisdiction, two copies with the filer's county of domicile. County offices and municipal courts: original and one copy with the county clerk, two copies with the filer's county of domicile. City offices: original and one copy with the city clerk.

(d) Late contributions received or made and late independent expenditures of $1,000 or more made during the 16 days before an election must be reported by telegram within 24 hours.

(e) Contributions received more than $500 within 16 days before the election must be reported by the recipient within 48 hours after receipt.

(f) Special report required within 48 hours after receipt of a contribution of certain amounts, or expenditures to certain persons from 20 days before election through election day.

(g) Any contribution or loan to a statewide candidate of $2,000, or more than $400 to any legislative or district court candidate received between the closing date and the last pre-election report and the election must be reported within 48 hours after receipt.

(h) Secy. of state is filing officer until January 1, 1993, then filing officer becomes Missouri Ethics Commission.

(i) Contributions of more than $1,000 received by a statewide office candidate ($500 for any other committee) after the closing date of the last pre-election disclosure report but before election day must be reported within 48 hours after receipt.

(j) Report required for all candidates and related political committees within 24 hours if contribution of $500 or more received for statewide office or statewide ballot issue, or $100 for state district offices.

(k) Report of contributions of $500 or more received within 14 days before election is required to be filed within 5 days after receipt.

(l) Notice of a contribution more than $500 received after 2nd Wednesday before election is to be filed within 24 hours. Report of independent expenditures to be filed within 24 hours after expenditure more than $500 is made, and thereafter each time $500 more is spent.

(m) Single-source contribution of over $250 received by a continuing political committee after final day of quarterly reporting period and on or before election day to be reported within 48 hours. Single-source contributions received by a candidate or political committee between the 13th day and election day to be reported within 48 hours.

(n) Contributions of more than $1,000 received after close of pre-election filing period must be reported within 24 hours of receipt.

(o) Supplemental statement for contribution of $500 or more received in 15-day period before an election must be filed within 48 hours by statewide or legislative office candidate and by referendum/initiative group or person.

(p) If $500 in contributions received after 9th day and before the day preceding the election, a pre-election supplemental statement is due on the day before the election.

(q) If a contribution of $500 or more is received within 9 days prior to an election, statement must be filed within 48 hours.

(r) If large contribution, loan or transfer of funds received within 10 days of election ($5,000 if it concerns a state office candidate; $2,500 if it concerns a local office candidate), report must be filed within 72 hours.

(s) Secy. of state: candidate for statewide office, district office filled by voters of more than one county, state senator or representative, or state board of elections, specific purpose committee supporting or opposing candidate filing with Secy. of state; officeholder and special purpose committee for assisting an officeholder for the office files with the Secy. of state; specific purpose committee involved with a statewide measure; specific purpose committee required to file with more than one filing officer; and a general purpose committee. County clerk: candidate for county office, precinct office, or an office filled by voters of one county; specific purpose committees supporting or opposing a candidate who files with the county clerk; officeholder and specific purpose committee for assisting an officeholder if a candidate for the office files with the county clerk; and specific purpose committee involved with a county measure. Clerk or secretary of non-county political subdivision: candidates for local office; specific purpose committee supporting or opposing a local office candidate; officeholder and specific purpose committee for assisting an officeholder if a candidate for the office files with the clerk/secretary; and specific purpose committee involved with a local measure.

(t) Certain large aggregate pre-election contributions or direct campaign expenditures between 9th and 2nd day before an election must be reported to Secy. of state within 48 hours.

(u) Candidate: Single contribution of more than $1,000 for statewide office or more than $500 for other office received between 11th day before and election day must be reported in writing within 72 hours (or day before election, if received within 72 hours of election). Political action committees, political party committees and other committees: Contributions given or expenditures made by non-party committee of more than $1,000 for statewide office, or more than $500 for any other office after 11th day before 1st Tuesday in March and May, after 11th day before 2nd Tuesday in June, or after 11th day before Tuesday following 1st Monday in November must be reported within 72 hours (or not later than Monday before designated Tuesday if made within 24 hours of designated Tuesday).

(v) Contributions of over $500 received by a candidate or political committee or made by a political committee after the last pre-primary report or within 21 days of the general election are to be reported within 24 hours (contribution made) or 48 hours (contribution received).

(w) An unreported cumulative contribution of $500 or more by a state office candidate, committee, or individual within 15 days before an election must be reported within 24 hours of receipts. A candidate-related disbursement of more than $20 cumulatively within 15 days before an election must be reported within 24 hours of making.

(x) Contributions of $200 or more received after closing date for last pre-election report must be reported within 24 hours.

Table 5.11
CAMPAIGN FINANCE LAWS: LIMITATIONS ON CONTRIBUTIONS BY ORGANIZATIONS
(As of January 1992)

State or other jurisdiction	*Corporate*	*Labor union*	*Separate segregated fund—political action committee (PAC)*	*Regulated industry*	*Political party*
Alabama	Limited to $500 to any candidate, political committee or political party per election.	Unlimited.	Unlimited.	Public utility regulated by Public Service Commission may only contribute through a PAC.	Unlimited.
Alaska (a)	Limited to $1,000 per office per year. Corporations and their subsidiaries collectively limited to $1,000 for a single candidate.	Limited to $1,000 per office per year.	Same as labor union.	Same as labor union.	Unlimited.
Arizona	Prohibited.	Prohibited.	Limited to $2,750 for statewide candidates and $1,100 for other candidates.	Prohibited.	Unlimited.
Arkansas (a)	Limited to $1,000 per candidate per election.	Same as corporate.	Limited to $1,000 per candidate per election from approved political action committee.	Same as corporate.	Limited to $2,500 per candidate per election.
California (a)	Limits of $5,000 for a broad-based political committee; $2,500 for a political committee; and $1,000 per person per candidate per special election or special runoff election only. Certain jurisdictions have local limits on contributions to general election candidates.	Same as corporate.	Same as corporate.	Same as corporate.	Limits of $5,000 per candidate per special election or special runoff election only.
Colorado (a)	Unlimited.	Unlimited.	Unlimited.	Unlimited.	Unlimited.
Connecticut (a)	Prohibited.	Prohibited.	Corporate PAC: limited to aggregate of $100,000/election and twice limits per candidate as individuals. Labor PAC: limited to aggregate of $50,000 per election and same limits per candidate as individuals.	Prohibited.	Unlimited.
Delaware (a)	Limited to $1,200 per statewide candidate per election and $600 per non-statewide candidate per election.	Same as corporate.	Same as corporate.	Same as corporate.	Limited by office.
Florida (a)	Limited to $500 per candidate.	Same as corporate.	Same as corporate.	Limited to $500 per candidate; investment and law firms and their officers, directors, and employees making contributions or engaged in fundraising for state-level candidates cannot compete for business from Florida Housing Finance Agency.	Party may not contribute to candidate for judicial office. Party limited in contributions to candidates receiving public financing. Generally, $50,000 limit, with no more than $25,000 in last 28 days before general election.
Hawaii (a)	Limited to $2,000 in any election period.	Same as corporate.	Same as corporate.	Same as corporate.	Limited to a sliding scale percentage limit based upon candidate expenditure limits.
Idaho	Unlimited.	Unlimited.	Unlimited.	Unlimited.	Unlimited.

See footnotes at end of table.

LIMITATIONS ON CONTRIBUTIONS BY ORGANIZATIONS—Continued

State or other jurisdiction	*Corporate*	*Labor union*	*Separate segregated fund—political action committee (PAC)*	*Regulated industry*	*Political party*
Illinois	Unlimited.	Unlimited.	Unlimited.	Unlimited.	Unlimited.
Indiana	Limited to an aggregate of $5,000 for statewide candidates, an aggregate of $5,000 for state party central committees, an aggregate of $2,000 for other offices, and an aggregate of $2,000 for other offices.	Same as corporate.	Unlimited.	No contributions to statewide candidates by major lottery vendors. Limited to an aggregate of $5,000 for statewide candidates, an aggregate of $5,000 for state party central committees, an aggregate of $2,000 for other offices, and an aggregate of $2,000 for other offices.	Unlimited.
Iowa	Prohibited.	Unlimited if through a union PAC.	Unlimited.	Prohibited for banks, savings & loans, and credit unions.	Unlimited.
Kansas (a)	Limited to $2,000 per statewide candidate per election; $1,000 per election for Senate seats; $500 per election for House seats and local office.	Same as corporate.	Same as corporate.	Same as corporate.	Unlimited in uncontested primaries and general election.
Kentucky (a)	Prohibited.	Limited to $4,000 per candidate per election.	Same as labor union.	Prohibited. No contributions by major lottery vendors.	Unlimited.
Louisiana (a)	Limited to $5,000 for major office candidates, $2,500 for district office candidates, and $1,000 for any other offices, per candidate, per election. During any four-year period, may not contribute greater than $100,000 to any political committee other than a candidate committee.	Same as corporate.	Limited to $5,000 for major office candidates, $2,500 for district office candidates, and $1,000 for any other offices, per candidate, per election. During any four-year period, may not contribute greater than $100,000 to any political committee other than a candidate committee. PACs with greater than 250 members who contributed at least $50 to the PAC during the preceding calendar year may give twice the limits. Aggregate limits from all PACs combined that candidates may receive for primary and general elections: $50,000 for major office; $35,000 for district office; $10,000 for other office.	Limited to $5,000 for major office candidates, $2,500 for district office candidates, and $1,000 for any other offices, per candidate, per election.	Unlimited.
Maine	Limited to $5,000 per candidate per election.	Same as corporate.	Same as corporate.	Same as corporate.	Same as corporate.
Maryland (a)	Limited to an aggregate of $10,000 per four-year election cycle and $4,000 per candidate or political committee.	Same as corporate.	Limited to an aggregate of $6,000 per four-year election cycle per candidate or political committee.	Same as corporate.	Unlimited.
Massachusetts (a)	Prohibited.	Unlimited.	Unlimited.	Prohibited.	State party cmte. $3,000 per calendar year and city party limited to $1,000 per calendar year.

See footnotes at end of table.

LIMITATIONS ON CONTRIBUTIONS BY ORGANIZATIONS—Continued

State or other jurisdiction	*Corporate*	*Labor union*	*Separate segregated fund—political action committee (PAC)*	*Regulated industry*	*Political party*
Michigan (a)	Prohibited for candidate elections.	Limited to $3,400 for a statewide office, $1,000 for state Senate and $500 for state representative candidates per election cycle.	Limited to $3,400 for a statewide office, $1,000 for state Senate and $500 for state representative candidates per election cycle. A PAC that qualifies as an independent committee may contribute ten times these amounts.	Prohibited except through a PAC.	State central: $68,000 for governor/lt. governor, $10,000 for Senate, $5,000 for House, $68,000 for all other state elective offices.
Minnesota	Prohibited.	Governor/Lt. governor: limited to $20,000 per election year and $3,000 in a non-election year. Attorney General: limited to $10,000 per election year and $2,000 in a non-election year. Other statewide offices: limited to $5,000 per election year and $1,000 in a non-election year. State Senate: limited to $1,500 per election year and $500 in a non-election year. State representative: limited to $750 per election year and $250 in a non-election year.	Same as labor union.	Prohibited; including for insurance companies.	Governor/lt. governor: limited to $100,000 per election year and $15,000 in a non-election year. Attorney general: limited to $50,000 per election year and $10,000 in a non-election year. Other statewide offices: limited to $25,000 per election year and $5,000 in a non-election year. State Senate: limited to $7,500 per election year and $2,500 in a non-election year. State representative: limited to $3,750 per election year and $1,250 in a non-election year.
Mississippi	Limited to $1,000 per candidate per election.	Unlimited.	Unlimited.	Generally prohibited.	Unlimited.
Missouri (a)	Unlimited.	Unlimited.	Unlimited.	Unlimited.	Unlimited.
Montana	Prohibited.	As an independent committee, limited for all elections in a campaign to $8,000 for governor/lt. governor, $2,000 for other statewide candidates, $1,000 for public service commissioner, district court judge, $600 for state senator, and $300 for other candidates. State legislative campaigns also subject to limits on receipt of non-party, political committee contributions.	Same as labor union.	Prohibited.	As an independent committee, limited for all elections in a campaign to $8,000 for governor/lt. governor, $2,000 for other statewide candidates, $1,000 for public service commissioner, district court judge, $600 for state senator, and $300 for other candidates. Contributions to judicial candidates prohibited.
Nebraska (a)	Unlimited, but may not receive contributions unless establishes a PAC.	Same as corporate.	Unlimited.	Same as corporate.	Unlimited.
Nevada	Statewide office: $20,000 per election cycle. City, county, state, or judicial office: $10,000 per election cycle.	Same as corporate.	Same as corporate.	Same as corporate.	Unlimited.
New Hampshire	Prohibited.	Prohibited.	Limited to $5,000 per candidate, per election, except limited to $1,000 per election if to candidate or political committee working on behalf of a candidate who does not voluntarily agree to limit campaign expenditures.	Prohibited.	. . .

See footnotes at end of table.

LIMITATIONS ON CONTRIBUTIONS BY ORGANIZATIONS—Continued

State or other jurisdiction	*Corporate*	*Labor union*	*Separate segregated fund—political action committee (PAC)*	*Regulated industry*	*Political party*
New Jersey (a)	Generally unlimited. Limited to $1,500 for governor in any primary or general election.	Same as corporate.	Same as corporate.	Prohibited for insurance corporations or associations.	Generally unlimited, except state committee is limited to $1,500 for governor in a general election and political committee may not contribute to party candidates until after primary.
New Mexico	Unlimited.	Unlimited.	Unlimited.	Unlimited.	Unlimited.
New York (a)	Limited to an aggregate of $5,000 per calendar year.	Unlimited.	Unlimited.	Unlimited if not corporation; if corporation: limited to aggregate of $5,000 per calendar year. Public utilities may not contribute from public service revenues unless cost is charged to shareholders.	Unlimited.
North Carolina (a)	Prohibited.	Prohibited.	Limited to $4,000 per committee or candidate per election.	Prohibited.	Unlimited.
North Dakota	Prohibited.	Prohibited.	Unlimited.	Prohibited.	Unlimited.
Ohio (a)	Prohibited.	Unlimited.	Unlimited.	Prohibited.	Unlimited.
Oklahoma (a)	Prohibited.	Limited per person or family to $5,000 to a political party or organization in a calendar year, $5,000 to a candidate/candidate committee for state office or municipal office in a municipality of 250,000 or more, and $1,000 to any other local candidate/candidate committee. Inter-PAC transfers not limited if established by common organization.	Limited per person or family to $5,000 to a political party or organization in a calendar year, $5,000 to a candidate/candidate committee for state office or municipal office in a municipality of 250,000 or more, and $1,000 to any other local candidate/candidate committee.	Prohibited.	Limited to $5,000 to a political party or organization in a calendar year, $5,000 to a candidate/candidate committee for state office or municipal office in a municipality of 250,000 or more, and $1,000 to any other office candidate/candidate committee.
Oregon	Unlimited.	Unlimited.	Unlimited.	Unlimited.	Unlimited.
Pennsylvania (a)	Prohibited.	Prohibited.	Unlimited.	Prohibited.	Unlimited.
Rhode Island	$2,000 per calendar year.	Same as corporate.	Same as corporate.	Same as corporate.	Unlimited.
South Carolina (a)	Limited to $3,000 per statewide candidate per election; $1,000 per other candidate per election; $3,500 per committee per calendar year. Corporation or corporate committee may solicit contributions to the corporation or corporate committee only from shareholders, employees, and families.	Limited to $3,000 per statewide candidate per election; $1,000 per other candidate per election; $3,500 per committee per calendar year. Organization or organization committee may solicit contributions to the organization only from members and families.	Limited to $3,000 per statewide candidate per election; $1,000 per other candidate per election; $3,500 per committee per calendar year.	Limited to $3,000 per statewide candidate per election; $1,000 per other candidate per election; $3,500 per committee per calendar year. Public utility may not include contributions or expenditures to influence election or operate PAC in its operating expenses. Lobbyist and contractors may not contribute.	Limited to $50,000 per statewide candidate per election, $5,000 per other candidate per election.
South Dakota	Prohibited.	Prohibited if union is corporation; permitted if an association but not out of dues or treasury funds.	Unlimited.	Prohibited.	Unlimited.

See footnotes at end of table.

LIMITATIONS ON CONTRIBUTIONS BY ORGANIZATIONS—Continued

State or other jurisdiction	*Corporate*	*Labor union*	*Separate segregated fund—political action committee (PAC)*	*Regulated industry*	*Political party*
Tennessee	Prohibited.	Unlimited.	Unlimited.	Prohibited; public service commissioner or candidate for that office may not accept a contribution from a regulated party during contested case.	Unlimited.
Texas (a)	Prohibited.	Prohibited, except to political party, but during 60 days before general election.	Unlimited, but may not be made from mandatory assessments from corporation employees or labor organization members. Contributions from an out-of-state political committee are subject to special notification and reporting requirements.	Prohibited.	Unlimited.
Utah	Unlimited.	Unlimited.	Unlimited.	Insurers are generally prohibited from making political contributions.	Unlimited.
Vermont (a)	Limited to $1,000 per candidate or committee per election.	Same as corporate.	Same as corporate.	Same as corporate.	Unlimited.
Virginia	Unlimited.	Unlimited.	Unlimited.	Pari-mutuel betting licensees cannot contribute to candidates.	Unlimited.
Washington (a)	Aggregate contributions of more than $50,000 for a statewide office campaign or $5,000 for any other campaign may not be made to a candidate or political committee within 21 days of a general election.	Same as corporate.	Same as corporate.	Aggregate contributions of more than $50,000 for a statewide office campaign or $5,000 for any other campaign may not be made to a candidate or political committee within 21 days of a general election. Insurer or fraternal benefit society may not contribute to insurance commissioner candidate.	Unlimited.
West Virginia(a)	Prohibited.	Limited to $1,000 per candidate, per primary or general election.	Same as labor union.	Prohibited.	Same as labor union.
Wisconsin (a)	Prohibited, except concerning a referendum.	Prohibited if it is a chapter 185 association, except concerning a referendum.	Limited to 4% of authorized disbursement level for state office candidate, $1,000 for state senator, $500 for representative, varying amounts for other offices, and $6,000 in a calendar year for a political party.	Prohibited; also may not offer special privileges to candidates, political committees, and individuals making independent disbursements.	Unlimited; however, a political party or legislative campaign committee that files a statement under oath concerning independent candidate-related disbursements becomes subject to the limits for PACs. A candidate may not receive more than 65% of authorized disbursement level from all political committees. Political party may not receive more than $150,000 in any biennium from all political committees other than political party and legislative campaign committees. Contributions from committees (other than political party or legislative campaign committees) limited to $6,000 in a calendar year.
Wyoming	Prohibited.	Prohibited.	Unlimited.	Prohibited.	Prohibited in primary elections; otherwise unlimited.

See footnotes at end of table.

LIMITATIONS ON CONTRIBUTIONS BY ORGANIZATIONS—Continued

State or other jurisdiction	*Corporate*	*Labor union*	*Separate segregated fund—political action committee (PAC)*	*Regulated industry*	*Political party*
Dist. of Columbia . . .	Limited to an aggregate of $4,000 per election and $2,000 for mayor; $1,500 for council chair; $1,000 for council member at-large; $400 for council member from a district or board of education member at-large; $200 for board of education member from a district or party official; and $25 for a neighborhood advisory committee member.	Same as corporate.	Same as corporate.	Same as corporate.	. . .

Source: Edward D. Feigenbaum and James A Palmer. *Campaign Finance Law 92.* (Washington, D.C.: National Clearinghouse on Election Administration, Federal Election Commission, 1992).

Note: For detailed legal requirements, state statutes should be consulted.

Key:

. . . — No reference to contribution in the law.

(a) Restrictions on cash contributions. In Oklahoma, cash contributions are prohibited. In Alaska, Arkansas, Colorado, Florida, Kansas, Kentucky, Maine, Missouri, New York and North Carolina eliminated to $100 or less. In California, less than $100. In Connecticut, Delaware, Maryland, Massachusetts, Nebraska, Vermont and West Virginia, limited to $50 or less. Michigan limits cash contributions to $20 or less. In Wisconsin, must be $10 or less. In Hawaii, contributions greater than $100 require a receipt to the donor and a record of the transaction. In Louisiana, contributions greater than $100 must be by written instrument and all contributions by corporations, labor organizations, and associations must be by check. In New Jersey, cash contributions prohibited unless in response to public solicitation or a written contributor statement is filed (maximum up to $100 cumulatively). In Ohio, must be $100 or less per election. In Pennsylvania, must be $100 or less in the aggregate if to or for a candidate. In South Carolina, prohibited if over $25 from an individual. In Texas, must be $100 or less in the aggregate per each reporting period, except no limit for general purpose political committee. In Washington, limited to greater of one percent of total accumulated contributions received or $300.

Table 5.12
CAMPAIGN FINANCE LAWS: LIMITATIONS ON CONTRIBUTIONS BY INDIVIDUALS
(As of January 1992)

State or other jurisdiction	*Individual*	*Candidate*	*Candidate's family member*	*Government employees*	*Anonymous or in name of another*
Alabama	Unlimited.	Unlimited.	Unlimited.	No solicitation of state employees for state political activities. City employees may contribute to county/state political activities; county employees may contribute to city/state political activities.	Contribution in the name of another prohibited.
Alaska (a)	Limited to $1,000 per office per year.	Unlimited.	Same as individual.	Contribution may not be required of state employees.	Prohibited.
Arizona	Limited to $550 per statewide candidate; $220 per other offices; and a maximum of $2,200 in total contributions per calendar year.	Unlimited.	Same as individual.	. . .	. . .
Arkansas (a)	Limited to $1,000 per candidate per election.	Unlimited.	Same as individual.	Certain state employees are prohibited from soliciting, as are certain judges (for campaigns other than their own). Contribution may not be required of state employees.	Anonymous contribution must be less than $50 per year. Contribution in the name of another prohibited.
California (a)	Limits of $5,000 for a broad-based political committee; $2,500 for a political committee; and $1,000 per person per candidate per special election or special runoff election only. Certain jurisdictions have local limits on contributions to general election candidates.	Unlimited.	Same as individual.	Local agency employees may not solicit employees of agency except incidentally through a large solicitation. Contribution must be less than $100.	Anonymous contribution must not exceed $100. Contribution in the name of another prohibited.
Colorado (a)	Unlimited.	Unlimited.	Unlimited.	. . .	Anonymous contribution must be maximum of $25. Contribution in the name of another prohibited.
Connecticut (a)	Limited to an aggregate of $15,000 per election and $2,500 for governor; $1,500 for other statewide office; $1,000 for sheriff or local chief executive; $500 for state Senate, probate judge, or any other local office; $250 for state representative; and $5,000 per year to state party.	Unlimited.	Same as individual.	State department heads and deputies may not solicit. Contribution may not be required.	Anonymous contribution must be less than $15. Contribution in the name of another prohibited.
Delaware (a)	Limited to $1,200 per statewide candidate per election and $600 per non-statewide candidate per election.	Same as individual.	Same as individual.	. . .	Prohibited.
Florida (a)	Limited to $500 per candidate. Unemancipated child under 18 limited to $100 per candidate.	Unlimited, except candidates accepting public financing are limited to $25,000 to their own campaigns.	Limited to $500 per candidate.	Solicitation generally prohibited for state employees. Judges may not solicit contributions. Judges not elected in contested public elections may not make contributions.	Contribution in the name of another prohibited.
Georgia	Limited to $3,500 per election.	Same as individual.	Same as individual.	Prohibited for state employee to coerce another state employee.	Anonymous contribution prohibited.

See footnotes at end of table.

LIMITATIONS ON CONTRIBUTIONS BY INDIVIDUALS—Continued

State or other jurisdiction	*Individual*	*Candidate*	*Candidate's family member*	*Government employees*	*Anonymous or in name of another*
Hawaii (a)	Limited to $2,000 in any election period.	Same as individual.	Same as individual.	Solicitation of contributions prohibited. Contributions to other employees are prohibited.	Prohibited.
Idaho	Unlimited.	Unlimited.	Unlimited.	Prohibited for state employee to coerce another state employee. Contribution permitted.	Anonymous contribution must be $50 or less. Contribution in the name of another prohibited.
Illinois	Unlimited.	Unlimited.	Unlimited.	Solicitation and contribution by employees prohibited under certain circumstances.	Prohibited.
Indiana	Unlimited.	Unlimited.	Unlimited.	Certain law enforcement personnel/firefighters may not solicit on duty or in uniform; state employees cannot solicit (1) when on duty, (2) acting in official capacity, (3) from those employees known to have a business relationship with the employee's agency, and (4) from state employees directly supervised by the employee. Judges may not personally solicit. Contribution may not be required. Judges should not contribute.	Contribution in the name of another prohibited.
Iowa	Unlimited.	Unlimited.	Unlimited.	Prohibited for state employee to coerce another state employee.	Prohibited.
Kansas (a)	Limited to $2,000 per statewide candidate per election; $1,000 per election for Senate seats; $500 per election for House seats and local office.	Unlimited.	Same as individual.	Certain employees cannot compel contributions.	Anonymous contribution must be $10 or less. Contribution in the name of another prohibited.
Kentucky (a)	Limited to $4,000 per candidate per election, and to PAC. Limited to $6,000 to all state/local political parties.	Unlimited (direct). Loans are limited.	Limited to $4,000 per candidate per election. Minors limited to $100.	Assessments and coercion of state employees prohibited. Contribution may not be required of state employees.	Anonymous contribution must be $100 or less. Contribution in the name of another prohibited. (b)
Louisiana (a)	Limited to $5,000 for major office candidates, $2,500 for district office candidates, and $1,000 for any other offices, per candidate, per election. During any four-year period, may not contribute more than $100,000 to any political committee other than a candidate committee.	. . .	Same as individual.	Solicitation and contribution generally prohibited.	Anonymous contribution generally prohibited. Contribution in the name of another prohibited.
Maine	Limited to an aggregate of $25,000 in a calendar year and $1,000 per candidate per election.	Unlimited.	Unlimited for spouse.	Prohibited for state employee to coerce another state employee.	Contribution in the name of another prohibited.
Maryland (a)	Limited to an aggregate of $10,000 per four-year election cycle and $4,000 per candidate or political committee.	Unlimited.	Unlimited for spouse.	Contribution may not be required.	Prohibited.

See footnotes at end of table.

LIMITATIONS ON CONTRIBUTIONS BY INDIVIDUALS—Continued

State or other jurisdiction	*Individual*	*Candidate*	*Candidate's family member*	*Government employees*	*Anonymous or in name of another*
Massachusetts (a)	Limited to $1,000 per candidate per year. Minors limited to $25 per year.	Unlimited.	Same as individual.	Solicitation generally prohibited. Contribution may not be required.	Prohibited.
Michigan (a)	Limited to $3,400 for a statewide office, $1,000 for state Senate, and $500 for state representative candidates per election cycle.	Unlimited, except to $50,000 per gubernatorial campaign from candidate and family per election cycle.	Unlimited, except to $50,000 per gubernatorial campaign per election cycle.	Contribution may not be required.	Prohibited.
Minnesota	Governor/lt. governor: limited to $20,000 per election year and $3,000 in a non-election year. Attorney general: limited to $10,000 per election year and $2,000 in a non-election year. Other statewide offices: limited to $5,000 per election year and $1,000 in a non-election year. State Senate: limited to $1,500 per election year and $500 in a non-election year. State representative: limited to $750 per election year and $250 in a non-election year.	Unlimited.	Same as individual.	Solicitation prohibited during hours of employment. Contribution may not be required.	Anonymous contributions must be less than $20. Contribution in the name of another prohibited.
Mississippi	Unlimited.	Unlimited.	Unlimited.	Solicitation prohibited for employees of certain specified agencies. Contribution may not be required. Employees of certain specified agencies may not contribute.	. . .
Missouri (a)	Unlimited.	Unlimited.	Unlimited.	Members of the Missouri Ethics Commission may not contribute.	Anonymous contribution must be $25 or less. Contribution in the name of another prohibited.
Montana	Limited for all elections in a campaign to $1,500 for governor/lt. governor, $750 for other statewide candidates, $400 for public service commissioner, district court judge, or state senator, and $250 for other candidates.	Unlimited.	Same as individual.	Solicitation by municipal government employees prohibited. Contributions by municipal employees in city with municipal commission form of government is prohibited.	Prohibited.
Nebraska (a)	Unlimited.	Unlimited, except that candidate committee cannot contribute to another candidate committee other than in fundraising event.	Unlimited.	Contribution unlimited.	Anonymous contribution prohibited. Contribution in the name of another prohibited, except earmarked contributions permitted if disclosure requirements met.
Nevada	Statewide office: $10,000 per election cycle. City, county, state, or judicial office: $2,000 per election cycle.	Same as individual.	Same as individual.	Judges and judicial candidates should not solicit contributions for political organizations and other candidates.	If anonymous contribution $100 or more, must be delivered to state treasurer or donated to nonprofit entity.
New Hampshire	Limited to $5,000 per candidate, per election, except limited to $1,000 per election if to candidate or political committee working on behalf of a candidate who does not voluntarily agree to limit campaign expenditures.	Unlimited.	Same as individual.	Cannot coerce classified state employee to contribute.	Prohibited.

See footnotes at end of table.

LIMITATIONS ON CONTRIBUTIONS BY INDIVIDUALS—Continued

State or other jurisdiction	*Individual*	*Candidate*	*Candidate's family member*	*Government employees*	*Anonymous or in name of another*
New Jersey (a)	Generally limited. Limited to $1,500 for governor in any primary or general election. Contributor's spouse may contribute up to $1,500 for governor in a primary or general election.	Unlimited, except if receiving public funds for governor, limited to $25,000 per election from own funds.	Same as individual.	Prohibited to demand from other public employees.	Prohibited.
New Mexico	Unlimited.	Unlimited.	Unlimited.	Judges may not solicit from litigants in pending cases or attorneys or for other candidates. Non-probationary state employees cannot be dismissed for failure to contribute.	Anonymous contributions permitted; if in excess of $50 must be reported.
New York (a)	Limited to an aggregate of $150,000 in calendar year and maximum aggregate per office: statewide office nomination or statewide party position election: 2.5¢ x voters in party in state; statewide office election: 2.5¢ x voters in state; non-statewide office nomination or non-statewide party position election: 2.5¢ x voters in party in district (minimum $1,000/maximum $50,000); non-statewide office election: 5¢ x voters in district (minimum $1,000/maximum $50,000); state senator/assembly member nomination: 5¢ x voters in party in district (senator: minimum $4,000/maximum $50,000); assembly member: minimum $2,500/maximum $50,000); senator/assembly member election: 5¢ x voters in district (senator: minimum $4,000/maximum $50,000); assembly member: minimum $2,500/maximum $50,000).	Unlimited.	Candidate's spouse is unlimited. Other family members together are limited to maximum aggregate per office: statewide office nomination or statewide party position election: 2.5¢ x voters in party in state; statewide office election: 2.5¢ x voters in state; non-statewide office nomination or non-statewide party position election: 25¢ x voters in party in district (minimum $1,250/maximum $100,000); non-statewide office election: 25¢ x voters in district (minimum $1,250/maximum $100,000); state senator/assembly member nomination: 25¢ x voters in party in district (senator: minimum $20,000/maximum $100,000); assembly member: minimum $12,500/maximum $100,000); senator/assembly member election: 25¢ x voters in district (senator: minimum $20,000/maximum $100,000); assembly member: minimum $12,500/maximum $100,000).	Solicitation prohibited for police force members and judicial candidates. Contribution permitted, but may not be required. Contribution by judicial candidates prohibited.	Prohibited.
North Carolina (a)	Limited to $4,000 per committee or candidate per election.	Unlimited.	Unlimited.	Judge or judicial candidate may not solicit contributions.	Prohibited.
North Dakota	Unlimited.	Unlimited.	Unlimited.	Full-time judge may not solicit contributions. Contribution unlimited.	Prohibited.
Ohio (a)	Unlimited.	Unlimited.	Unlimited.	May not solicit or be solicited if in classified service. Court employees should not be solicited for a judge. A judge should not contribute to a political party in the year judge is a candidate.	Prohibited.

See footnotes at end of table.

LIMITATIONS ON CONTRIBUTIONS BY INDIVIDUALS—Continued

State or other jurisdiction	*Individual*	*Candidate*	*Candidate's family member*	*Government employees*	*Anonymous or in name of another*
Oklahoma (a)	Limited per person or family to $5,000 to a political party or organization in a calendar year, $5,000 to a candidate/candidate committee for state office or municipal office in a municipality of 250,000 or more, and $1,000 to any other local candidate/candidate committee.	Unlimited to own campaign; otherwise subject to limits for individuals.	Same as individual.	State officials and employees may not solicit or receive contributions. Judges should not solicit. Contribution prohibited for state highway patrol members and supernumerary tax consultants. Judges should not contribute.	Prohibited.
Oregon	Unlimited.	Unlimited.	Unlimited.	Solicitation prohibited during hours of employment. Contribution may not be demanded to pay a political assessment.	Prohibited.
Pennsylvania (a)	Unlimited.	Unlimited.	Unlimited.	Public officers and employees may not demand a political assessment. Judges should not solicit funds. State classified service, state crime commission, public utility commission, community action agency, and county board of health personnel may not solicit. Workplace contributions by state classified service employees are restricted. Judges and judicial candidates should not make candidate contributions.	Prohibited.
Rhode Island	$2,000 per calendar year.	Unlimited.	Same as individual.	State classified employees may not solicit. State or municipal official may not solicit contribution with understanding that official will be influenced. Judge or candidate for judicial office should not solicit. State classified employees may not be solicited.	Prohibited. Must be returned to donor if identity can be ascertained; if it cannot, escheats to state.
South Carolina (a)	Limited to $3,000 per statewide candidate per election; $1,000 per other candidate per election; $3,500 per committee per calendar year.	Unlimited.	Same as individual.	Employer cannot give preference to employees who contribute; must inform them of right to refuse without penalty. No one may solicit uniformed law enforcement officer, judge, judicial candidate, solicitor and staff, and attorney general and staff. Judge and judicial candidate should not solicit. Contribution prohibited by state ethics commission personnel; judges and judicial candidates should not contribute, except in competitive office may contribute to a political party.	Anonymous contribution prohibited generally. Must give to children's trust fund.
South Dakota	Limited to any calendar year to $1,000 for a statewide office candidate; $250 for a legislative or county office candidate; and $3,000 to a political party.	Unlimited.	Unlimited.	Judge or judicial candidate should not solicit. Judge or judicial candidate should not pay an assessment to a political organization or candidate, but a judge or judicial candidate for competitive office may contribute to a political party.	. . .

See footnotes at end of table.

LIMITATIONS ON CONTRIBUTIONS BY INDIVIDUALS—Continued

State or other jurisdiction	*Individual*	*Candidate*	*Candidate's family member*	*Government employees*	*Anonymous or in name of another*
Tennessee	Unlimited.	Unlimited.	Unlimited.	Prohibited for state government superiors to solicit their employees. Prohibited to solicit persons who receive government benefits. State career service employees may not solicit. Judges should not solicit. Employees of sheriff's department under civil service law may not solicit. Judges expressly permitted to contribute only to political party or candidate.	. . .
Texas (a)	Unlimited.	Unlimited.	Unlimited.	. . .	Contribution in the name of another prohibited, unless there is disclosure.
Utah	Unlimited.	Unlimited.	Unlimited.	Prohibited to solicit executive branch employees during hours of employment. Judges should not solicit funds. Judges are not permitted to make contributions to a political party or organization.	. . .
Vermont (a)	Limited to $1,000 per candidate or committee per election.	Unlimited, except federal office candidate limited to $1,000 to another candidate or committee per election.	Unlimited.	Solicitation prohibited.	. . .
Virginia	Unlimited.	Unlimited.	Unlimited.	Contribution by judges prohibited.	. . .
Washington (a)	Aggregate contributions of more than $50,000 for a statewide office campaign or $5,000 for any other campaign may not be made to a candidate or political committee within 21 days of a general election.	Same as individual.	Same as individual.	Solicitation on government property is prohibited. Judges may not solicit. Contribution prohibited if city with commission form of government. Judges may not contribute to a political party, political organization, or non-judicial candidate.	Anonymous contribution limited to greater of one percent of total accumulated contributions received or $300. Contribution in the name of another prohibited.
West Virginia (a)	Limited to $1,000 per candidate, per primary or general election.	Same as individual.	Same as individual.	Contribution may not be solicited.	Anonymous contribution prohibited. Contributor disclosure required for contribution in the name of another.
Wisconsin (a)	Limited to an aggregate of $10,000 in a calendar year. Limits for campaign: $10,000 for statewide office, $1,000 for state senator, $500 for state representative, $2,500 or $3,000 for court of appeals judge (depending on population of district), $1,000 or $3,000 for circuit judge (depending on population of circuit), and for local office, the greater of $250 or 1¢ x number of inhabitants ($3,000 maximum).	Unlimited as to candidate's own personal funds and property or personal funds and property owned jointly or as marital property with spouse. State office candidate who receives election campaign fund grant is limited to 200% of the amount that an individual may contribute.	Limited to same amounts as individual, except in the case of property and personal funds owned jointly or as marital property by a candidate and spouse.	Solicitation and contribution prohibited during hours of employment or while engaged in official duties. Judges may not solicit or contribute for political party.	Anonymous contribution must be $10 or less. Contribution in the name of another prohibited.

See footnotes at end of table.

LIMITATIONS ON CONTRIBUTIONS BY INDIVIDUALS—Continued

State or other jurisdiction	*Individual*	*Candidate*	*Candidate's family member*	*Government employees*	*Anonymous or in name of another*
Wyoming	Limited to an aggregate of $25,000 and to $1,000 per candidate, per primary, general, or special election in any general election year and the preceding year.	Unlimited.	Unlimited.	Judges may not solicit funds for candidates.	. . .
Dist. of Columbia	Limited to an aggregate of $4,000 per election and $2,000 for mayor; $1,500 for council chair; $1,000 for council member at-large; $400 for council member from a district or board of education member at-large; $200 for board of education member from a district or party official; and $25 for a neighborhood advisory committee member.	Same as individual.	Same as individual.	Contribution permitted but employees may not solicit or collect political contributions.	Anonymous contributions prohibited.

Source: Edward D. Feigenbaum and James A. Palmer *Campaign Finance Law 92*. (Washington, D.C.: National Clearinghouse on Election Administration, Federal Election Commission, 1992).

Note: For detailed legal requirements, state statutes should be consulted.

Key:

. . . — No reference to contribution in the law.

(a) Restrictions on cash contributions. In Oklahoma, cash contributions are prohibited. In Alaska, Arkansas, Colorado, Florida, Kansas, Kentucky, Maine, Missouri, New York and North Carolina limited to $100 or less. In California, less than $100. In Connecticut, Delaware, Maryland, Massachusetts, Nebraska, Vermont and West Virginia, limited to $50 or less. Michigan limits cash contributions to $20 or less. In Wisconsin, must be $10 or less. In Hawaii, contributions greater than $100 require a receipt to the donor and a record of the transaction. In Louisiana, contributions greater than $100 must be by written instrument. In New Jersey, cash contributions prohibited unless in response to public solicitation or a written contributor statement is filed (maximum up to $100 cumulatively). In Ohio, must be $100 or less per election. In Pennsylvania, must be $100 or less in the aggregate if to or for a candidate. In South Carolina, prohibited if over $25 from an individual. In Texas, must be $100 or less in the aggregate per each reporting period, except no limit for general purpose political committee. In Washington, limited to greater of one percent of total accumulated contributions received or $300.

(b) Language has been held to be unconstitutionally vague. *Kentucky v. E.O. Associates.*

Table 5.13
CAMPAIGN FINANCE LAWS: LIMITATIONS ON EXPENDITURES
(As of January 1992)

State or other jurisdiction	*Who may make expenditures*	*Total expenditures allowed*	*Expenditures prior to first filing*	*For certain purposes*	*Use of surplus funds* (a)
Alabama (b)	Only committee named and designated by candidate	. . .	. . .	. . .	Unlimited as to officeholder expenses, contributions to charity, transfers to another committee, or uses for other lawful purposes.
Alaska	Candidate, treasurer, or deputy treasurer	. . .	No expenditures permitted before filing date except for personal travel expenses and public opinion polls/surveys.	. . .	May be given to charity, used to repay contributors, spent on a future campaign, used to repay candidate or used as income, contributed to another committee, or transferred to office allowance fund. Surplus funds may be taken as income by candidate.
Arizona	. . .	. . .	No expenditures permitted until registration form is properly filed.	. . .	May be retained for a future campaign; returned to contributors; donated to a party committee, charitable organization, political organization, or other candidate (after 12/31/92 may not be donated to another candidate's committee or used for candidate's personal use).
Arkansas	. . .	. . .	. . .	. . .	After setting aside any funds needed to pay debts, and an amount equal to the yearly salary for the office sought, surplus funds must either be turned over to the state treasurer for the benefit of the general revenue fund, to an organized political party, or to contributors to the candidate's campaign (c).
California(b)	. . .	. . .	. . .	Must be directly related to political, legislative, or governmental purpose if candidate or elected officer receives substantial personal benefit. Certain expenditures must be directly related regardless of benefit received.	May be used for debts or charitable contributions; contributed to a political party, candidate for federal office or ballot measure; contributed to an out-of-state campaign; or used to defray certain legal or professional expenses associated with the election and aftermath. Personal use of funds by candidate generally prohibited; must be directly related to political, legislative, or governmental purpose if candidate or elected officer receives substantial personal benefit. Certain expenditures must be directly related regardless of benefit received.

See footnotes at end of table.

LIMITATIONS ON EXPENDITURES—Continued

State or other jurisdiction	*Who may make expenditures*	*Total expenditures allowed*	*Expenditures prior to first filing*	*For certain purposes*	*Use of surplus funds* (a)
Colorado (b)	. . .	. . .	. . .	Must be reasonably related to an election, voter registration, or political education. May not be used to encourage another candidate's withdrawal from race.	May be contributed to a nonprofit or charitable organization, or to the state or a political subdivision of the state, but not to a political party or to a candidate.
Connecticut (b)	Treasurer or those authorized by treasurer.	. . .	No expenditures permitted until treasurer and campaign depository have been designated.	Polls, meeting halls, rally expenses, printing and advertising, professional service fees, travel, staff salaries, rent, supplies, voter transportation, communications, petition-related expenses, and other expenses permitted by the commission.	Surplus may be donated to another committee (except one established to further the candidate's future campaigns), distributed pro rata to contributors, or used for transition expenses. Ballot question committees may also distribute surplus to government agencies or tax-exempt organizations. Personal use of funds by candidate prohibited.
Delaware	Candidate committee	. . .	. . .	Staff salaries, travel expenses, filing fees, communications and printing, food, office supplies, voter lists and canvasses, poll watchers, rent, advertising, rallies, legal counsel.	May be contributed to a tax-exempt religious, charitable, educational, or scientific organization, volunteer fire department, or a successful committee.
Florida (b)	. . .	Public financed candidates and those agreeing to voluntary limits: $5 million for governor and lt. governor; $2 million for cabinet. Limits may be increased under certain circumstances.	. . .	Expenditures may only be used to influence the results of an election.	Funds remaining after an election are to be used to pay remaining obligations incurred prior to or on election day. Surplus funds may be used to reimburse a candidate for candidate's contributions; transferred to a public officeholder account in various amounts dependent upon office; returned pro rata to contributors; given to a candidate's political party; donated to a nonprofit or charitable organization; or given to the state for the general fund or the election campaign financing trust fund (by a state candidate) or political subdivision (by a local candidate). Personal use of funds by candidate permitted if disclosed at the time of first filing.
Georgia	. . .	. . .	. . .	May only be used to defray ordinary and necessary campaign expenses.	Personal use of funds by candidate prohibited.
Hawaii	Only campaign treasurer or deputy treasurer.	Voluntary election year limits: governor—$1.25 x qualified voters; lt. governor—70¢ x qualified voters; mayor—$1.00 x qualified voters; House/Senate/council/prosecutor—70¢ x qualified voters; others—10¢ x qualified voters.	. . .	Must be related to a campaign purpose, including donations to community, youth, social or recreational organizations; reports, surveys, and polls.	Surplus may be used for fundraising; candidate-sponsored, politically related activity; ordinary and necessary officeholder expenses; donations to any community service, scientific, education, youth, recreation, charitable, or literary organization. Personal use of funds by candidate prohibited.

See footnotes at end of table.

LIMITATIONS ON EXPENDITURES—Continued

State or other jurisdiction	*Who may make expenditures*	*Total expenditures allowed*	*Expenditures prior to first filing*	*For certain purposes*	*Use of surplus funds* (a)
Idaho	. . .	. . .	. . .	. . .	. . .
Illinois	Must be authorized by chair, treasurer, or their designated agents.	. . .	. . .	Only for nomination or election or retention of a person in public office or in connection with a public policy question.	. . .
Indiana	Only treasurer may make expenditures.	. . .	. . .	Must be used for campaign, for continuing political activity, activity related to service in an elected office, or contributions to party committees or other candidate committees.	May be transferred to political committees or state election board, unless otherwise provided in committee statement of organization. Personal use of funds by candidate prohibited.
Iowa	. . .	. . .	. . .	Generally prohibited. Public funds may only be used for legitimate campaign purposes in general elections, including salaries, rent, advertising, supplies, travel, campaign paraphernalia, contributions to other candidates or committees, and the like.	Public funds may not be used to lease or purchase any item whose benefits extend beyond the time in which the funds must be spent. Campaign funds may not generally be used to pay civil/criminal penalties; personal debts or expenses; for personal services unrelated to the campaign; most motor vehicle leases and payments; professional organization and most service organization memberships; mortgage or rental payments for the candidate; meals, groceries, and other food not for campaign uses; payments clearly in excess of the fair market value of the service or item. Personal use of funds by candidate prohibited.
Kansas	Must be by or through treasurer.	. . .	No expenditures permitted until registration form properly filed.	Must be for legitimate campaign or officeholding expenses.	Personal use of funds by candidate prohibited.
Kentucky (b)	Treasurer must make or authorize all expenditures on behalf of a candidate.	. . .	No expenditures permitted until primary campaign depository is designated.	Political parties receiving tax money may use these funds to support their party's candidates in a general election, and for administrative costs of maintaining a party headquarters.	Any unexpended balance may be returned pro rata to all contributors, transferred to the candidate's party executive committee, retained for election to the same office, or escheat to the state treasury.
Louisiana (b)	. . .	. . .	No expenditures aggregating in excess of $500 may be made by a political committee until statement of organization is properly filed.	Must be related to a political campaign or holding of office.	May be returned pro rata to contributors; given to a charitable organization; spent for or against a candidate, political party, or a proposition; used in future political campaigns; or activity related to a future campaign. Personal use of funds by candidate prohibited except to replace items stolen, lost, or damaged in connection with a campaign.

See footnotes at end of table.

LIMITATIONS ON EXPENDITURES—Continued

State or other jurisdiction	*Who may make expenditures*	*Total expenditures allowed*	*Expenditures prior to first filing*	*For certain purposes*	*Use of surplus funds* (a)
Maine	. . .	PAC is limited to expenditures of $5,000 per candidate or political committee in any election.	. . .	. . .	Returned pro rata to contributors, used for the candidate's future campaigns or transferred to other committees.
Maryland	Public funds may only be spent upon authority of candidate or treasurer. Other expenditures must be made through treasurer.	Publicly financed candidates for governor/lt. governor limited to 20¢ x qualified voters.	No expenditures permitted until registration form is properly filed.	Public contributions may only be used to further the candidate's nomination or election, for legal purposes, and for expenses not incurred later than 30 days after the election.	Surplus public funds must be repaid not later than 60 days after the election for which the funds are granted. Other surplus funds must be returned on a pro rata basis to contributors; paid to a party central committee; donated to a local board of education, recognized non-profit educational or charitable organization; or given to a higher education institution for scholarships.
Massachusetts (b)	. . .	. . .	. . .	. . .	. . .
Michigan (b)	An expenditure may only be made with the authorization of the treasurer or the treasurer's designee.	Gubernatorial candidates who accept public funds limited to $1.5 million per election; except up to $300,000 more can be spent to solicit contributions, and additional expenditures are authorized in response to editorials, endorsements, etc.	. . .	Public funds may only be spent on services, facilities, materials, or other things of value to further the candidate's election during the election year.	Surplus public funds must be promptly repaid and may not be used in a subsequent election. Other funds may be transferred to another committee (with restrictions), party, or tax-exempt charitable institution or returned to contributors. Public funds cannot be used to pay a candidate.
Minnesota (b)	Must be authorized by treasurer or deputy treasurer of the committee or fund.	Candidates accepting public subsidies are limited as follows in election years (to be adjusted each election year based on Consumer Price Index): governor/lt. governor: $1,626,691; attorney general: $271,116; other statewide office: $135,559; state Senate: $40,660; state representative: $20,335. Limits in non-election years are 25% of applicable election year limits.	. . .	Limited to salaries, wages, and fees; communications, mailing, and transportation and travel; advertising and printing; office space and furnishings; supplies; and other expenses reasonably related to the election.	. . .
Mississippi	. . .	. . .	. . .	. . .	. . .
Missouri (b)	All expenditures must be made by or through the treasurer.	. . .	. . .	. . .	May only be used to defray campaign or officeholder expenses, returned pro rata to contributors, or contributed to a political or charitable organization or candidate committee. Personal use of funds by candidate prohibited.
Montana (b)	Campaign treasurers and deputy campaign treasurers.	. . .	. . .	. . .	. . .

See footnotes at end of table.

LIMITATIONS ON EXPENDITURES—Continued

State or other jurisdiction	*Who may make expenditures*	*Total expenditures allowed*	*Expenditures prior to first filing*	*For certain purposes*	*Use of surplus funds* (a)
Nebraska (b)	Treasurers or treasurers' designees; however, candidates and their agents are also permitted to make expenditures.	. . .	Expenditure may not be made by a committee raising, receiving, or disbursing more than $2,000 in a calendar year until it files a statement of organization and has a treasurer.	A committee other than a political party may not expend or transfer funds except for goods, materials, services, or facilities to assist or oppose a candidate for a ballot question.	After an election, a committee may expend or transfer funds for continued operation of campaign offices; social events for workers, volunteers, and constituents; obtaining public input and opinion; repayment of campaign loans; newsletters and other political communications; gifts of acknowledgment; and officeholder-related meals, lodging and travel. After termination of a candidate committee, unexpended funds may be transferred to another candidate committee, a political party committee, or a tax-exempt charitable organization, or returned to contributors. A committee may not make expenditures for the payment of a candidate's clothes, or medical or dental expenses; mortgage or rental payments for the candidate's permanent residence; installment payments for an auto owned by the candidate; satisfaction of personal debts (excluding reportable campaign loans); or personal services (such as legal or accounting services).
Nevada	. . .	. . .	. . .	. . .	Elected and defeated candidates and non-candidate officeholders are required to dispose of unspent contributions in a statutorily authorized manner, including return to contributors, contribution for political purpose, and donation to tax-exempt nonprofit entity. Elected candidates may use for present or future campaign expenses or public office expenses. Personal use of funds by candidate prohibited.
New Hampshire	Candidate or candidate's fiscal agent.	Candidate may agree to limit campaign expenditures made by candidate and by committees, political party and immediate family on candidate's behalf in a primary or general election in accordance with a maximum expenditure schedule.	Before nonparty political committee may make expenditures, a registration statement must be filed, and if the political committee is organized to support a candidate, written consent of the candidate or candidate's fiscal agent must have been secured and filed. Political committee making independent expenditures must declare in registration statement it will abide by $1,000 expenditure limit per candidate per election.	. . .	. . .

See footnotes at end of table.

LIMITATIONS ON EXPENDITURES—Continued

State or other jurisdiction	*Who may make expenditures*	*Total expenditures allowed*	*Expenditures prior to first filing*	*For certain purposes*	*Use of surplus funds* (a)
New Jersey	Treasurer or deputy treasurer of a candidate, political party committee, political committee, and continuing political committee.	Maximum amount to aid candidate for governor (excluding travel expenses) in 1989 primary: $2.2 million; in 1989 general election: $5 million. Spending limits are subject to adjustment prior to gubernatorial election year to reflect changes in campaign costs. Gubernatorial candidate receiving public funding is limited to $25,000 in primary and $25,000 in general election from candidate's personal funds.	. . .	. . .	. . .
New Mexico	Treasurer of candidate or political committee.	Treasurer must be appointed before candidate or political committee may make an expenditure.	. . .	. . .	Judicial candidates must return unused funds to contributors or donate to charitable organization.
New York (b)	Treasurer of candidate or political committee.	. . .	Expenditures may not be made by a political committee until the designation of a treasurer and depository have been filed.	Contributions may be expended for any lawful purpose.	May be used for any lawful purpose, including transfer to political party committee, return to donor, or holding for use in subsequent campaign. Contributions may not be converted to personal use of candidate not related to political campaign or holding public office or party position.
North Carolina (b)	Except for independent expenditures, candidate-related expenditures may be made only through the treasurer or assistant treasurer of a candidate or political committee.	Candidates for state constitutional office in general election who qualify for and receive public matching funds are subject to expenditure limit depending on office involved.	Except for independent expenditures, candidate-related expenditures may not be made until a treasurer is appointed and certified.	. . .	. . .
North Dakota	. . .	. . .	. . .	. . .	. . .
Ohio (b)	For a campaign committee, only the campaign treasurer and deputy campaign treasurer.	. . .	Candidate must designate a treasurer before candidate's campaign committee may receive contributions or make expenditures.	Candidate expenditures must be legitimate, verifiable, ordinary, and necessary.	Personal use of funds by candidate prohibited.
Oklahoma	Agents and subagents in the case of candidates/candidate committees and other committees.	. . .	. . .	Candidates may use contributions only to defray campaign expenditures or ordinary and necessary expenses incurred in connection with duties of public officeholder.	Excess funds of candidate/candidate committee available within 48 months of general election must be disposed of by return to contributors, donation to another campaign or political party, donation to charitable organization, or retention for a future campaign. Personal use of funds by candidate prohibited.
Oregon (b)	Expenditures must be made by or through the treasurer of a political committee.	No expenditure may be made until the political committee appoints and certifies the treasurer.	. . .	. . .	. . .

See footnotes at end of table.

LIMITATIONS ON EXPENDITURES—Continued

State or other jurisdiction	*Who may make expenditures*	*Total expenditures allowed*	*Expenditures prior to first filing*	*For certain purposes*	*Use of surplus funds* (a)
Pennsylvania (b)	For a political committee, the treasurer.	. . .	No expenditure may be made by a political committee until a chair and treasurer have been appointed.	No candidate, political committee chair, or treasurer may make an expenditure except as provided by law.	After financial activity is terminated, residual funds may be used for lawful expenditures, or returned pro rata to contributors. Judicial candidate should not use contributions for private benefit.
Rhode Island	Campaign treasurer or deputy campaign treasurer.	Unlimited, except for gubernatorial candidate who accepts public funding.	No expenditures may be made before the appointment of a treasurer and the filing of such designation.	. . .	Judicial office candidate should not use contributions for private benefit.
South Carolina (b)	Candidates or duly authorized officer of a committee.	. . .	. . .	. . .	Disposition of excess funds of a candidate or committee is restricted to specific recipients and uses. Personal use of funds by candidate prohibited.
South Dakota	. . .	. . .	. . .	Necessary expenditure of money for ordinary or usual expense of conducting a political campaign unless expressly forbidden.	Judicial office candidate should not use for private benefit.
Tennessee	Political treasurer of candidate and political campaign committee.	. . .	Candidate and political committee are required to certify name and address of political treasurer before making an expenditure in an election.	Clerical/office force; dissemination of literature; public speakers; newspaper announcements of candidacy; and transportation of voters unable to go to the polls.	Judicial office candidate should not use for private benefit.
Texas	Candidate for candidate's own election; political committee; campaign treasurer or assistant campaign treasurer acting in an official capacity; and an individual who makes independent, unreimbursed expenditures.	. . .	No expenditure may be made or authorized unless a campaign treasurer appointment is in effect. Campaign treasurer appointment of a political committee must be filed by 30th day before making or authorizing expenditures affecting a candidate for statewide office, multi-county district office, state senator or representative, or state board of education.	Use of public funds for political advertising prohibited. Payment from contributions for personal services of candidate, officeholder, or family restricted. Reimbursement of personal funds for expenditures by and repayment of loans made by relatives of a candidate to a candidate or officeholder limited to an aggregate of $500,000 per election for governor and $250,000 per election for other statewide office.	Contributions may not be converted to the personal use of a candidate or officeholder. Specific purpose political committee also may not convert contributions to the personal use of a former candidate or officeholder. Expenditures from personal funds may be reimbursed from contributions.
Utah	Candidate and the secretary of a personal campaign committee in the case of a candidate for state executive office. A committee member may not make an expenditure over $1,000 without written authorization by candidate or committee secretary.	. . .	State office candidate must file a statement of appointment of personal campaign committee before the committee may make expenditures.	Expenditures prohibited by law may not be made.	Judicial candidates may not use contributions for candidate's private benefit.

See footnotes at end of table.

LIMITATIONS ON EXPENDITURES—Continued

State or other jurisdiction	*Who may make expenditures*	*Total expenditures allowed*	*Expenditures prior to first filing*	*For certain purposes*	*Use of surplus funds* (a)
Vermont (b)	Designated treasurer.	. . .	. . .	Existing surplus may be contributed and existing debts assigned to new fund.	Conversion of surplus funds to personal use of candidate is prohibited, but the candidate may use such funds to reduce personal campaign debts.
Virginia (b)	. . .	. . .	Candidate must appoint one campaign treasurer not later than upon acceptance of a contribution, expenditure of any funds, or qualification as a candidate, whichever comes first.	Prohibited.	After filing of final report, surplus funds may be used in a succeeding election; returned to contributors; donated to a Section 170 organization; contributed to other candidates or committees, including a political party committee; or used to defray unreimbursable elective office expense of candidate. Personal use of funds by candidate prohibited.
Washington (b)	Campaign treasurer, candidate, or person on authority of campaign treasurer or candidate.	. . .	. . .	. . .	May be disposed of by return to the contributors in an amount not to exceed the original contributions, transfer to the candidate's personal account for reimbursement for lost earnings during the campaign, donation to a charitable organization, transmittal to the state, or retention for a future campaign, political activity, or community activity, or for non-reimbursable public office-related expenditures. Contributions may be transferred to the personal account of a candidate or expended for candidate's personal use for reimbursement for loans to cover lost earnings while campaigning or performing services for the political committee and for direct out-of-pocket expenses for repayment of loans made to political committee.
West Virginia (b)	Candidates, financial agents, and political committee treasurers.	. . .	No person may act as treasurer or financial agent before filing designation. Political party may not disburse money for election expenses unless treasurer is appointed.	Generally, lawful payments for political expenses; rent, maintenance, and furnishing of political headquarters or office; payment of support staff; political advertising and advertising agency services; public meeting-related expenses; travel, lodging and administrative expenses; nominating petition costs; prevention of unlawful registration of voters; voter transportation; and public polls.	Excess campaign assets may be disposed of by transfer to new candidate committee; contribution to political party committee or candidate; or returned to contributors on a pro rata basis. Personal use of funds by candidate prohibited, except for reimbursement of election expenses. Use of excess campaign assets for personal economic benefit is prohibited.

See footnotes at end of table.

LIMITATIONS ON EXPENDITURES—Continued

State or other jurisdiction	*Who may make expenditures*	*Total expenditures allowed*	*Expenditures prior to first filing*	*For certain purposes*	*Use of surplus funds* (a)
Wisconsin (b)	Treasurer of a candidate, political committee, political group, or individual.	State office candidates who receive election campaign fund grant may not expend more for a campaign than amount specified in the authorized disbursement schedule unless opponents not accepting grant do not agree to comply with the limit voluntarily.	Disbursements may not be made by candidate or personal campaign committee, political committee, political group, or individual before registration statement is filed and campaign depository account established.	Expenditures may be made for any lawful purpose. Contributions must be used for a political purpose.	. . .
Wyoming	. . .	. . .	. . .	. . .	Candidate for judicial office may not use contributions for private benefit of candidate.
Dist. of Columbia (b)	Only the chair, treasurer, or designated agents may make an expenditure.	. . .	. . .	. . .	May be donated to a political party for political purposes; returned to donors; transferred to a scientific, technical, or literacy or educational organization; or used for constituent services with certain limits.

Source: Edward D. Feigenbaum and James A. Palmer. *Campaign Finance Law 92*. (Washington, D.C.: National Clearinghouse on Election Administration, Federal Election Commission, 1992).

Note: For detailed legal requirements, state statutes should be consulted.

Key:

. . . — No reference in the law.

(a) Post election.

(b) Restrictions on cash expenditures. California, Colorado and New York (otherwise by check) may not exceed $100. Arkansas (except for properly receipted filing fees), Massachusetts, Michigan, Nebraska, North Carolina (for non-media expenses excluding postage), Oregon and Washington (if no receipt) may not exceed $50. Alabama and Connecticut may not exceed $100 from petty cash. Florida, must be less than $30 petty cash, and may not be used to pay for the purchase of time, space, or services from the communications media. In Kentucky expenditures of $25 or more must be made by check. In Louisiana cash expenditures of up to $100 may be made from petty cash for items other than personal services and voter transportation if complete records are maintained. In Minnesota petty cash expenditures limited to $100 per week for statewide elections; $20 per week for legislative elections. In Missouri single cash expenditures from petty cash fund may not exceed $50; aggregate calendar year expenditures may not exceed the lesser of ten percent of the committee's total calendar year expenditures. Montana, petty cash fund may pay for office supplies, transportation expenses, postage stamps, and other necessities of less than $25, but may not be used for purchase of time, space, or services from any communications medium. In Ohio, permitted; if over $25, must be vouched for by a receipted bill. In Pennsylvania vouchers for all expenditures over $25 must be retained. In South Carolina, expenditures over $25 must be by written instrument—petty cash fund may not exceed $100 and independent cash expenditure may not exceed $25. In Vermont expenditures by a candidate who has made expenditures or received contributions of $500 or more and by a political committee must be paid by the treasurer by check from a single checking account. In Virginia, petty cash expenditures of less than $25 permitted; otherwise only by check. In West Virginia payments to campaign election workers and paid staff must be by check. In Wisconsin prohibited; disbursements must be made by negotiable instrument. District of Columbia must be $50 or less to any one person in connection with a single transaction and must be fully documented.

(c) Unopposed candidate may not take any campaign funds for personal use or for income for spouse or dependent children after the date of winning the nomination (or if opposed in the primary but not in the general election, after the date of winning the nomination).

Table 5.14
FUNDING OF STATE ELECTIONS: TAX PROVISIONS AND PUBLIC FINANCING
(As of January 1992)

State	*Tax provisions relating to individuals*				*Public financing*	
	Credit	*Deduction*	*Checkoff*	*Surcharge*	*Source of funds*	*Distribution of funds*
Alabama	. . .	. . .	. . .	$1 (a)	Surcharge	To political party designated by taxpayer.
Alaska	. . .	. . .	. . .	. . .	. . .	. . .
Arizona	. . .	$100 (a). Money designated as surcharge is deductible.	. . .	$2, $5, or $10 (b)	Surcharge and donated amounts	To political party designated by taxpayer.
Arkansas	. . .	. . .	. . .	. . .	. . .	. . .
California	. . .	$100	. . .	$1, $5, $10, or $25 (c)	Surcharge and an equal amount matched by state.	To political parties for party activities and distribution to statewide general election candidates.
Colorado	. . .	. . .	. . .	. . .	. . .	. . .
Connecticut	. . .	. . .	. . .	. . .	. . .	. . .
Delaware	. . .	. . .	. . .	. . .	. . .	. . .
Florida	. . .	. . .	. . .	$5 (d)	Direct appropriations; assessments on contributions received by certain political committees; candidate filing fees; donated surplus funds; and voluntary surcharge on intangibles tax return, motor vehicle registration, driver's license applications, boat registration, and annual reports for corporations.	To candidates for governor and lieutenant governor and members of the cabinet.
Georgia	. . .	. . .	. . .	. . .	. . .	. . .
Hawaii	. . .	$100 for contributions to central or county party committees, or $500 for contributions to candidates who abide by expenditure limits, with deductible maximum of $100 of a total contribution to a single candidate.	$2 (a)	. . .	Checkoff, appropriated funds, other moneys.	To candidates for all non-federal elective offices.
Idaho	. . .	. . .	$1	. . .	Checkoff	To political party designated by taxpayer.
Illinois	. . .	. . .	. . .	. . .	. . .	. . .
Indiana	. . .	. . .	. . .	. . .	Revenues from personalized motor vehicle plates.	Percentage divided equally between the qualified political parties for state and county party use.
Iowa	. . .	. . .	$1.50 (a)	. . .	Checkoff	To political party designated by taxpayer or divided among qualified parties as specified by taxpayer.
Kansas	. . .	. . .	. . .	. . .	. . .	. . .
Kentucky	. . .	. . .	$2 (a)	. . .	Checkoff	To political party designated by taxpayer for party activities and distribution to general election candidates.
Louisiana	. . .	. . .	. . .	. . .	. . .	. . .
Maine	. . .	. . .	. . .	Any amount	Surcharge	To political party designated by taxpayer.
Maryland	. . .	. . .	. . .	. . .	Direct appropriations	To candidates for governor and lieutenant governor only (program is scheduled to end in 1995).

See footnotes at end of table.

FUNDING OF STATE ELECTIONS—Continued

State	Tax provisions relating to individuals				Public financing	
	Credit	*Deduction*	*Checkoff*	*Surcharge*	*Source of funds*	*Distribution of funds*
Massachusetts	. . .	. . .	. . .	$1 (a)	Surcharge	To candidates in statewide primary and general elections.
Michigan	. . .	. . .	$2 (a)	. . .	Checkoff and an equal amount matched by state.	To candidates in gubernatorial primaries and candidates for governor and lieutenant governor in general election.
Minnesota	Refund of up to $50 for contributions made to political parties and qualified candidates (a)	. . .	$5 (a)	. . .	Checkoff and excess anonymous contributions; direct appropriations for qualifying candidates in a special election and for contributor tax refunds.	To qualifying candidates for governor, lieutenant governor, attorney general, other statewide offices, state senator and state representative after primary and general elections, and to the state committee of a political committee of a political party for multi-candidate expenditures.
Mississippi	. . .	. . .	. . .	. . .	. . .	. . .
Missouri	. . .	. . .	. . .	. . .	. . .	. . .
Montana	. . .	$100 (a)	. . .	$1 (a)	Surcharge	To candidates opposed in elections for governor and lieutenant governor and chief justice and justice of the Supreme Court.
Nebraska	. . .	. . .	. . .	. . .	. . .	. . .
Nevada	. . .	. . .	. . .	. . .	. . .	. . .
New Hampshire	. . .	. . .	. . .	. . .	. . .	. . .
New Jersey	. . .	. . .	$1 (a)	. . .	Direct appropriations and checkoff	To qualified gubernatorial candidates.
New Mexico	. . .	. . .	. . .	. . .	. . .	. . .
New York	. . .	. . .	. . .	. . .	. . .	. . .
North Carolina	. . .	$25 for political contribution or newsletter fund contribution. Income tax surcharge for candidates is intended to be deductible.	$1 (a)	Up to an amount of income tax refund due	Checkoff for political parties funds; surcharge for candidates fund.	Political parties fund divided among political parties according to registration. In non-general election years, not more than 50% in election campaign fund to state party and 50% to presidential election year candidates fund. In general election year, 100% in election campaign fund to state party (with 50% to special party committee). If presidential election year, 100% in presidential election year candidates fund to state party (with 50% to special party committee). Candidates fund divided among opposed candidates for state constitutional office who agree to abide by the expenditure limit and raise matching funds equal to 5% of expenditure limit. Matching funds are provided on a one-to-one basis for general election campaign.
North Dakota	. . .	. . .	. . .	. . .	. . .	. . .
Ohio	. . .	. . .	$1 (a)	. . .	Checkoff	Divided equally among major political parties each calendar quarter. Party allocation divided: 50% to state executive committee of party, and 50% to county executive committees of party according to proportion of income from tax return checkoffs in each county to total checkoff income.
Oklahoma	. . .	$100	. . .	. . .	. . .	. . .
Oregon	Lessor of (1) total contributions with a maximum of $50 (a), or (2) the taxpayer's liability	. . .	. . .	Amount designated by taxpayer from income tax refund	Surcharge	To political party designated by taxpayer. State central committees allocate funds. Major political party: not less than 50% of county central committees and not less than 50% of remainder to party candidates; not less than 50% of funds to each county committee is to go to party candidates. Minor political party: not less than 50% to party candidates.
Pennsylvania	. . .	. . .	. . .	. . .	. . .	. . .
Rhode Island	. . .	. . .	$5 (a)	. . .	Checkoff ("credit")	First $2 ($4 for a joint return) of checkoff allocated to major political parties. Distributed to eligible political party designated by taxpayer. If a party is not designated, 5 percent of the amount is allocated to each party for each state officer elected, and the remainder to each party in proportion to the votes its candidate for governor received in previous election. Maximum of $200,000 allocated to all political parties. Remainder to qualifying candidates for governor as state matching funds (maximum for 1990 was $750,000).
South Carolina	. . .	. . .	. . .	. . .	. . .	. . .

See footnotes at end of table.

FUNDING OF STATE ELECTIONS—Continued

	Tax provisions relating to individuals				*Public financing*	
State	*Credit*	*Deduction*	*Checkoff*	*Surcharge*	*Source of funds*	*Distribution of funds*
South Dakota	. . .	. . .	. . .	. . .	. . .	. . .
Tennessee	. . .	. . .	. . .	. . .	. . .	. . .
Texas	. . .	. . .	. . .	. . .	. . .	. . .
Utah	. . .	. . .	$1	. . .	Checkoff (although funds actually are from revenue from sales and use taxes).	To political party designated by taxpayer: 50% to state central committee, and 50% to county central committee in proportion to the number of taxpayers designating the party in each county to the total number of taxpayers in the state who designate the party.
Vermont	. . .	. . .	. . .	. . .	. . .	. . .
Virginia	. . .	. . .	. . .	$2 (a) of income tax refund	Surcharge	To designated political party.
Washington	. . .	. . .	. . .	. . .	. . .	. . .
West Virginia	. . .	. . .	. . .	. . .	. . .	. . .
Wisconsin	. . .	. . .	$1 (a)	. . .	Checkoff	According to formula, to state executive office, state legislative office and state Supreme Court candidates in a spring, general, or special election (e).
Wyoming	. . .	. . .	. . .	. . .	. . .	. . .

Source: James A. Palmer and Edward D. Feigenbaum, *Campaign Finance Law 1992* (Washington, D.C., National Clearinghouse on Election Administration, Federal Election Commission, 1992).

Note: Table details only those states that have a tax provision relating to individuals or a provision for public financing of state elections. Credits and deduction may be allowed only for certain types of candidates and/or political parties. Consult state statutes for further details.

Key:

. . . — No provision

(a) For joint returns, amount indicated may be doubled.
(b) Additional amounts may be dontated.
(c) And a separate designation of $1, $5, $10, or $25.
(d) On intangibles tax return.
(e) Candidates must meet certain qualifications.

Table 5.15
STATEWIDE INITIATIVE AND REFERENDUM

	Changes to Constitution			*Changes to Statutes*			
	Initiative		*Referendum*	*Initiative*		*Referendum*	
State	*Direct* (a)	*Indirect* (a)	*Legislative* (b)	*Direct* (c)	*Indirect* (c)	*Legislative*	*Citizen Petition* (d)
Alabama	. . .	. . .	★	. . .	. . .	★	★
Alaska	. . .	. . .	★	★	. . .	★	★
Arizona	★	. . .	★	★	. . .	★	★
Arkansas	★	. . .	★	★	. . .	★	★
California	★	. . .	★	★	. . .	★	★
Colorado	★	. . .	★	★	. . .	. . .	. . .
Connecticut	. . .	. . .	★	. . .	. . .	. . .	. . .
Delaware	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Florida	★	. . .	★	. . .	. . .	. . .	. . .
Georgia	. . .	. . .	★	. . .	. . .	. . .	. . .
Hawaii	. . .	. . .	★	. . .	. . .	. . .	. . .
Idaho	. . .	. . .	★	. . .	. . .	★	★
Illinois	★	. . .	★	★	. . .	★	. . .
Indiana	. . .	. . .	★	. . .	. . .	. . .	. . .
Iowa	. . .	. . .	★	. . .	. . .	. . .	. . .
Kansas	. . .	. . .	★	. . .	. . .	. . .	. . .
Kentucky	. . .	. . .	★	. . .	. . .	★	★
Louisiana	. . .	. . .	★	. . .	. . .	. . .	. . .
Maine	. . .	. . .	★	. . .	★	★	★
Maryland	. . .	. . .	★	. . .	. . .	★	★
Massachusetts	. . .	★	★	. . .	★	★	★
Michigan	★	. . .	★	★	★	★	★
Minnesota	. . .	. . .	★	. . .	. . .	. . .	. . .
Mississippi	. . .	. . .	★	. . .	. . .	. . .	. . .
Missouri	★	. . .	★	★	. . .	★	★
Montana	★	. . .	★	★	. . .	★	★
Nebraska	★	. . .	★	★	. . .	★	★
Nevada	★	. . .	★	★	★	★	★
New Hampshire	. . .	. . .	★	. . .	. . .	. . .	. . .
New Jersey	. . .	. . .	★	. . .	. . .	. . .	. . .
New Mexico	. . .	. . .	★	. . .	. . .	★	★
New York	. . .	. . .	★	. . .	. . .	. . .	. . .
North Carolina	. . .	. . .	★	. . .	. . .	. . .	. . .
North Dakota	★	. . .	★	★	. . .	★	★
Ohio	★	. . .	★	★	★	★	★
Oklahoma	★	. . .	★	★	. . .	★	★
Oregon	★	. . .	★	★	. . .	★	★
Pennsylvania	. . .	. . .	★	. . .	. . .	. . .	. . .
Rhode Island	. . .	. . .	★	. . .	. . .	. . .	. . .
South Carolina	. . .	. . .	★	. . .	. . .	. . .	. . .
South Dakota	★	. . .	★	★	. . .	★	★
Tennessee	. . .	. . .	★	. . .	. . .	. . .	. . .
Texas	. . .	. . .	★	. . .	. . .	. . .	. . .
Utah	. . .	. . .	★	★	★	★	★
Vermont	. . .	. . .	★	. . .	. . .	. . .	. . .
Virginia	. . .	. . .	★	. . .	. . .	. . .	. . .
Washington	. . .	. . .	★	★	★	★	★
West Virginia	. . .	. . .	★	. . .	. . .	. . .	. . .
Wisconsin	. . .	. . .	★	. . .	. . .	. . .	. . .
Wyoming	. . .	. . .	★	. . .	★	★	★

Source: State election administration offices; state constitutions and statutes.

Note: This table summarizes state provisions for initiatives and referenda. ***Initiatives*** may propose constitutional amendments or develop state legislation and may be formed either directly or indirectly. The *direct initiative* allows a proposed measure to be placed on the ballot after a specific number of signatures have been secured on a citizen petition. The *indirect initiative* must be submitted to the legislature for a decision after the required number of signatures has been secured on a petition and prior to placing the proposed measure on the ballot.

Referendum refers to the process whereby a state law or constitutional amendment passed by the legislature may be referred to the voters before it goes into effect. Three forms of referendum exist: (1) citizen petition, whereby the people may petition for a referendum on legislation which has been considered by the legislature; (2) submission by the legislature (designated in table as "Legislative"), whereby the legislature may voluntarily submit laws to the voters for their approval; and (3) constitutional requirement, whereby the state constitution may require that certain questions be submitted to the voters.

Key:
★ — State provision
. . . — No state provision
(a) See Table 1.3, "Constitutional Amendment Procedure: By Initiative," for more detail.
(b) See Table 1.2, "Constitutional Amendment Procedure: By the Legislature," for more detail.
(c) See Tables 5.16 through 5.19 on *State Initiatives*, for more detail.
(d) See Tables 5.20 through 5.23 on *State Referendums*, for more detail.

Table 5.16
STATE INITIATIVES: REQUESTING PERMISSION TO CIRCULATE A PETITION

State	Applied to (a)		Signatures required to request a petition (b)		Request submitted to	Request form furnished by (c)	Restricted subject matter (d)	Individual responsible for petition		Financial contributions reported (e)	Deposit required (f)
	Const. amdt.	Statute	Const. amdt.	Statute				Title	Summary		
Alabama	...	...	...	...	...	...	...	...	...	...	...
Alaska	...	D	...	100	LG	SP	Y	LG	LG	Y	$100
Arizona	D	D	15% EV	10% EV	SS	ST	N	...	...	Y	...
Arkansas	D	D	...	...	AG	SP	N	AG	AG	Y	...
California	D	D	...	...	AG	SP	N	AG	AG	Y	$200
Colorado	D	D	...	...	...	...	N	(g)	(g)	Y	...
Connecticut	...	...	...	...	...	...	...	...	...	...	...
Delaware	...	...	...	...	...	...	...	...	...	...	...
Florida	D	...	...	...	SS	SP	N	P	P	Y	...
Georgia	...	...	...	...	...	...	...	...	...	...	...
Hawaii	...	...	...	...	...	...	...	...	...	...	...
Idaho	...	D	...	20	SS	SP	N	AG	AG	Y	...
Illinois	D	...	...	...	...	...	Y	...	...	...	...
Indiana	...	...	...	...	...	...	...	...	...	...	...
Iowa	...	...	...	...	...	...	...	...	...	...	...
Kansas	...	...	...	...	...	...	...	...	...	...	...
Kentucky	...	...	...	...	...	...	...	...	...	...	...
Louisiana	...	...	...	...	...	...	...	...	...	...	...
Maine	...	I	...	5 (h)	...	SP	Y	P	P	Y	...
Maryland	...	...	...	...	...	...	...	...	...	...	...
Massachusetts	I	I	10	10	AG	ST	Y	AG	AG	Y	...
Michigan	D	I	...	...	...	...	Y	...	...	Y	...
Minnesota	...	...	...	...	...	...	...	...	...	...	...
Mississippi	...	...	...	...	...	...	...	...	...	...	...
Missouri	D	D	...	...	SS	SP	Y	SS,AG	...	Y	...
Montana	D	D	...	...	SS	SP	Y	AG	AG	Y (i)	...
Nebraska	D	D	...	...	SS	SP	Y	AG	AG	Y	N
Nevada	D	I	...	...	SS	SP	Y	P	P	Y (j)	...
New Hampshire	...	...	...	...	...	...	...	...	...	...	...
New Jersey	...	...	...	...	...	...	...	...	...	...	...
New Mexico	...	...	...	...	...	...	...	...	...	...	...
New York	...	...	...	...	...	...	...	...	...	...	...
North Carolina	...	...	...	...	...	...	...	...	...	...	...
North Dakota	D	D	25	25	SS	SP	Y	SS,AG	SS,AG	Y (e)	...
Ohio	D	I	...	...	SS	SP	Y	...	AG	Y	...
Oklahoma	D	D	...	...	SS	SP	N	AG	AG	Y	...
Oregon	D	D	25	25	SS	SP	N	AG	AG	Y	...
Pennsylvania	...	...	...	...	...	...	...	...	...	...	...
Rhode Island	...	...	...	...	...	...	...	...	...	...	...
South Carolina	...	...	...	...	...	...	...	...	...	...	...
South Dakota	D	D	...	...	SS	SP	N	P	...	Y	...
Tennessee	...	...	...	...	...	...	...	...	...	...	...
Texas	...	...	...	...	...	...	...	...	...	...	...
Utah	...	I,D	...	5	LG	SP	N	LG	LG	N	N
Vermont	...	...	...	...	...	...	...	...	...	...	...
Virginia	...	...	...	...	...	...	...	...	...	...	...
Washington	...	I,D	...	1	SS	SP	N	AG	AG	Y	N
West Virginia	...	...	...	...	...	...	...	...	...	...	...
Wisconsin	...	...	...	...	...	...	...	...	...	...	...
Wyoming	...	D	...	100	SS	SP	Y	AG,SS	AG,SS	Y	$100

Source: State election administration offices.

Key:

. . . — Not applicable	AG — Attorney General
D — Direct initiative	P — Proponent
I — Indirect initiative	ST — State
EV — Eligible voters	SP — Sponsor
LG — Lieutenant-Governor	Y — Yes
SS — Secretary of State	N — No

(a) An initiative may provide a constitutional amendment or develop a new statute, and may be formed either directly or indirectly. The direct initiative allows a proposed measure to be placed on the ballot after a specific number of signatures have been secured on a petition. The indirect initiative must first be submitted to the legislature for decision after the required number of signatures have been secured on a petition, prior to placing the proposed measure on the ballot.

(b) Prior to circulating a statewide petition, a request for permission to do so must first be submitted to a specified state officer.

(c) The form on which the request for petition is submitted may be the responsibility of the sponsor or may be furnished by the state.

(d) Restrictions may exist regarding the subject matter to which an initiative may be applied. The majority of these restrictions pertain to the dedication of state revenues and appropriations, and laws that maintain the preservation of public peace, safety, and health. In Illinois, amendments are restricted to "structural and procedural subjects contained in" the legislative article.

(e) In some states, a list of financial contributors and the amount of their contributions must be submitted to the specified state officer with whom the petition is filed. In North Dakota, if over $100 in aggregate for calendar year.

(f) A deposit may be required after permission to circulate a petition has been granted. This amount is refunded when the completed petition has been filed correctly.

(g) Title Setting Board—secretary of state, attorney general, director of legislative legal services.

(h) The name and address of five voters.

(i) Contributions reported to Commissioner of Political Practices; petitions filed with Secretary of State.

(j) Expenditures made in excess of $500 for the purpose of advocating the passage or defeat of the measure must be reported.

Table 5.17
STATE INITIATIVES: CIRCULATING THE PETITION

State	Basis for signatures (see key below)		Maximum time period allowed for petition circulation (a)	Can signatures be removed from petition (b)	Completed petition filed with	Days prior to election	
	Const. amdt.	Statute				Const. amdt.	Statute
Alabama	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Alaska	. . .	10% TV from 2/3 ED	1 yr.	Y	LG	. . .	. . .
Arizona	15% VG	10% VG	2 yr.	Y	SS	4 mos.	4 mos.
Arkansas	10% EV	8% EV	. . .	. . .	SS	4 mos.	4 mos.
California	8% VG	5% VG	150 days	Y	SS	131 days	131 days
Colorado	5% VSS	5% VSS	6 mos.	Y	SS	3 mos.	. . .
Connecticut	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Delaware	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Florida	8% VEP, 8% from 1/2 CD	. . .	. . .	. . .	SS	91 days	. . .
Georgia	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Hawaii	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Idaho	. . .	10% VG	. . .	. . .	SS	. . .	4 mos.
Illinois	8% VG	. . .	2 yr.	Y	SS	6 mos.	. . .
Indiana	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Iowa	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Kansas	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Kentucky	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Louisiana	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Maine	. . .	10% VG	1 yr.	. . .	SS	. . .	. . .
Maryland	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Massachusetts	3% VG, no more than 25% from 1 county	3% VG, no more than 25% from 1 county (c)	. . .	Y	SS	. . .	. . .
Michigan	10% VG	8% VG	(d)	. . .	SS	(e)	(e)
Minnesota	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Mississippi	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Missouri	8% VG, 8% each from 2/3 CD	5% VG, 5% each from 2/3 CD	20 mos.	Y	SS	4 mos.	4 mos.
Montana	10% VG, 10% each from 2/5 SLD	5% VG, 5% each from 1/3 SLD	1 yr.	Y	SS	(f)	(f)
Nebraska	10% EV, 5% each from 2/5 counties	7% EV, 5% each from 2/5 counties	. . .	Y	SS	4 mos.	4 mos.
Nevada	10% TV, 10% each from 3/4 counties	10% TV, 10% each from 3/4 counties	(g)	. . .	SS	30 days prior to LS	30 days
New Hampshire	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New Jersey	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New Mexico	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New York	. . .	. . .	. . .	. . .	. . .	. . .	. . .
North Carolina	. . .	. . .	. . .	. . .	. . .	. . .	. . .
North Dakota	4% resident population	2% resident population	. . .	. . .	SS	90 days	90 days
Ohio	10% VG, 1.5% each from 1/2 counties	3% VG, 1.5% each from 1/2 counties (h)	. . .	. . .	SS	90 days	90 days
Oklahoma	15% VH	8% VH	90 days	N	SS	. . .	. . .
Oregon	8% VG	6% VG	. . .	N (i)	SS	4 mos.	4 mos.
Pennsylvania	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Rhode Island	. . .	. . .	. . .	. . .	. . .	. . .	. . .
South Carolina	. . .	. . .	. . .	. . .	. . .	. . .	. . .
South Dakota	10% VG	5% VG	1 yr.	. . .	SS	1 yr.	182 days
Tennessee	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Texas	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Utah	. . .	10% VG, 10% each from 1/2 counties	. . .	Y	LG	. . .	150 days
Vermont	. . .	. . .	. . .	. . .	. . .	. . .	. . .

See footnotes at end of table.

STATE INITIATIVES: CIRCULATING THE PETITION—Continued

State	*Basis for signatures (see key below)*		*Maximum time period allowed for petition circulation* (a)	*Can signatures be removed from petition* (b)	*Completed petition filed with*	*Days prior to election*	
	Const. amdt.	*Statute*				*Const. amdt.*	*Statute*
Virginia	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Washington	. . .	8% VG	(h)	Y	SS	. . .	(j)
West Virginia	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Wisconsin	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Wyoming	. . .	15% TV	18 mos.	Y	SS	. . .	60 days

Source: State election administration offices.

Key:

. . . — Not applicable
VG — Total votes cast for the position of governor in the last election
EV — Eligible voters
VH — Total votes cast for the office receiving the highest number of votes in last general election
TV — Total voters in last general election
VSS — Total votes cast for all candidates for the office of secretary of state at the previous general election
VEP — Total votes cast in the state as a whole in the last presidential election
ED — Election district
CD — Congressional district
SLD — State legislative district
LG — Lieutenant Governor
SS — Secretary of State
LS — Legislative session
Y — Yes
N — No

(a) The petition circulation period begins when petition forms have been approved and provided to sponsors. Sponsors are those individuals granted permission to circulate a petition, and are therefore responsible for the validity of each signature on a given petition.

(b) Should an individual wish to remove his/her name from a petition, a request to do so must be submitted in writing to the state officer with whom the petition is filed.

(c) First Wednesday in December.

(d) In Michigan, signatures dated more than 180 days prior to the filing date are ruled invalid.

(e) Constitutional amendment—not less than 120 days prior to the next general election; statute—approximately 160 days prior to the next general election.

(f) Second Friday of the fourth month prior to election (3 1/2 months).

(g) Constitutional amendment—276 days; Amend or create a statute—291 days.

(h) Direct—6 months; Indirect—10 months.

(i) Not after petition has been filed.

(j) Direct—4 months; Indirect—2 weeks prior to legislative session.

Table 5.18
STATE INITIATIVES: PREPARING THE INITIATIVE TO BE PLACED ON THE BALLOT

State	*Signatures verified by:* (a)	*Within how many days after filing*	*Number of days to amend/appeal a petition that is:* *Incomplete* (b)	*Not accepted* (c)	*Penalty for falsifying petition (denotes fine, jail term)*	*Petition certified by:* (d)
Alabama	. . .	. . .	. . .	. . .	. . .	. . .
Alaska	Director of elections	60 days	30 days	. . .	Class B misdemeanor	LG
Arizona	SS, county recorder	10 days (e)	10 days	. . .	Class 1 misdemeanor	SS
Arkansas	SS	30 days	30 days	15 days	$50-$100, 1-5 yrs.	SS
California	Clerk or registrar of voters	50 days	. . .	. . .	. . .	SS
Colorado	SS	21 days	. . .	. . .	. . .	SS
Connecticut	. . .	. . .	. . .	. . .	. . .	. . .
Delaware	. . .	. . .	. . .	. . .	. . .	. . .
Florida	Supervisor of elections	. . .	. . .	. . .	. . .	SS
Georgia	. . .	. . .	. . .	. . .	. . .	. . .
Hawaii	. . .	. . .	. . .	. . .	. . .	. . .
Idaho	County clerk	. . .	. . .	10 days	$5,000, 2 yrs.	SS
Illinois	SBE and election authority	14 days	. . .	. . .	. . .	SBE
Indiana	. . .	. . .	. . .	. . .	. . .	. . .
Iowa	. . .	. . .	. . .	. . .	. . .	. . .
Kansas	. . .	. . .	. . .	. . .	. . .	. . .
Kentucky	. . .	. . .	. . .	. . .	. . .	. . .
Louisiana	. . .	. . .	. . .	. . .	. . .	. . .
Maine	Registrars of voters	25 days	. . .	. . .	. . .	SS
Maryland	. . .	. . .	. . .	. . .	. . .	. . .
Massachusetts	Local board of registrar	2 weeks	4 weeks (f)	. . .	. . .	. . .
Michigan	City and township clerks	. . .	. . .	. . .	. . .	BSC
Minnesota	. . .	. . .	. . .	. . .	. . .	. . .
Mississippi	. . .	. . .	. . .	. . .	. . .	. . .
Missouri	SS, local election authority	. . .	Prior to filing deadline	. . .	Class A misdemeanor	SS
Montana	County registrar	4 weeks	. . .	. . .	$500, 6 mos.	SS
Nebraska	County clerk or election commissioner	40 days	. . .	10 days	Class IV felony	SS
Nevada	County clerk or registrar	20-50 days	. . .	. . .	$10,000, 1-10 yrs.	SS
New Hampshire	. . .	. . .	. . .	. . .	. . .	. . .
New Jersey	. . .	. . .	. . .	. . .	. . .	. . .
New Mexico	. . .	. . .	. . .	. . .	. . .	. . .
New York	. . .	. . .	. . .	. . .	. . .	. . .
North Carolina	. . .	. . .	. . .	. . .	. . .	. . .
North Dakota	SS	35 days	20 days	. . .	. . .	SS
Ohio	County board of elections	. . .	10 days	. . .	$1,000, 6 mos.	SS
Oklahoma	. . .	. . .	. . .	. . .	. . .	. . .
Oregon	SS, county elections official	15 days	. . .	. . .	Class C felony (possible)	SS
Pennsylvania	. . .	. . .	. . .	. . .	. . .	. . .
Rhode Island	. . .	. . .	. . .	. . .	. . .	. . .
South Carolina	. . .	. . .	. . .	. . .	. . .	. . .
South Dakota	SS	. . .	. . .	. . .	. . .	SS
Tennessee	. . .	. . .	. . .	. . .	. . .	. . .
Texas	. . .	. . .	. . .	. . .	. . .	. . .
Utah	County clerk	. . .	. . .	. . .	$500, 2 yrs.	LG
Vermont	. . .	. . .	. . .	. . .	. . .	. . .

See footnotes at end of table.

STATE INITIATIVES: PREPARING THE INITIATIVE—Continnued

State	*Signatures verified by:* (a)	*Within how many days after filing*	*Number of days to amend/appeal a petition that is:*		*Penalty for falsifying petition (denotes fine, jail term)*	*Petition certified by:* (d)
			Incomplete (b)	*Not accepted* (c)		
Virginia	. . .	. . .	. . .	. . .	. . .	. . .
Washington	SS	(g)	. . .	10 days (h)	. . .	SS
West Virginia	. . .	. . .	. . .	. . .	. . .	. . .
Wisconsin	. . .	. . .	. . .	. . .	. . .	. . .
Wyoming	SS	60 days	60 days	60 days	$1,000, 1 yr.	. . .

Source: State election administration offices.
Key:
. . . — Not applicable
SS — Secretary of State
LG — Lieutenant Governor
BSC — Board of State Canvassers
SBE — State Board of Elections

(a) The validity of the signatures, as well as the correct number of required signatures must be verified before the initiative is allowed on the ballot.

(b) If an insufficient number of signatures are submitted, sponsors may amend the original petition by filing additional signatures within a given number of days after filing. If the necessary number of signatures have not been submitted by this date, the petition is declared void.

(c) In some cases, the state officer will not accept a valid petition. In such a case, sponsors may appeal this decision to the Supreme Court, where the sufficiency of the petition will be determined. If the petition is determined to be sufficient, the initiative is required to be placed on the ballot.

(d) A petition is certified for the ballot when the required number of signatures have been submitted by the filing deadline, and are determined to be valid.

(e) In Arizona, the Secretary of State has 48 hours to count signatures and 15 days to complete random sample; the county recorder then has 10 days to verify signatures.

(f) Applies to statutory initiatives.

(g) Direct—no specific limit; Indirect—45 days.

(h) In Washington, a petition that is not accepted may be *appealed* within 10 days.

Table 5.19
STATE INITIATIVES: VOTING ON THE INITIATIVE

State	Ballot (a)		Election where initiative voted on	Effective date of approved initiative (b)		Days to contest election results (c)	Can an approved initiative be:			Can a defeated initiative be refiled
	Title by:	Summary by:		Const. amdt.	Statute		Amended	Vetoed	Repealed	
Alabama	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Alaska	LG	. . .	(d)	. . .	. . .	90	Y	N	after 2 yrs.	Y
Arizona	. . .	. . .	GE	IM	IM	5	Y	N	Y	. . .
Arkansas	AG	AG	GE	30 days	30 days	60	Y	N	N	. . .
California	AG	AG	GE	1 day (b)	IM (b)	5	Y (e)	N	Y	Y
Colorado	SS,AG,LSS	SS,AG,LSS	next biennial election	30 days	30 days	. . .	. . .	N	. . .	Y
Connecticut	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Delaware	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Florida	P,AG	P,AG	GE	(f)	. . .	10	Y	N	N	Y
Georgia	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Hawaii	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Idaho	AG	AG	GE	. . .	30 days	20	Y	N	Y	Y
Illinois	SBE	SBE	GE	20 days	. . .	15	. . .	. . .	. . .	. . .
Indiana	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Iowa	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Kansas	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Kentucky	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Louisiana	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Maine	. . .	. . .	REG or SP	. . .	30 days (g)	. . .	N	N	N	. . .
Maryland	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Massachusetts	AG	AG	GE	30 days (b)	30 days (b)	10	Y	Y	Y	after 2 biennial elections
Michigan	BSC	BSC	GE	45 days (b)	10 days (b)	2 (h)	Y	N	Y	Y
Minnesota	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Mississippi	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Missouri	SS	LC	GE or SP	30 days	IM	30	Y (i)	N	Y (j)	Y
Montana	. . .	AG	GE	July 1	Oct. 1	. . .	. . .	N	. . .	Y
Nebraska	AG	AG	GE 4 mos. after filing	10 days (b)	10 days (b)	40	. . .	N	. . .	after 3 yrs.
Nevada	SS,AG	SS,AG	GE	10 days (k)	10 days (k)	10	N	N	N	Y
New Hampshire	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New Jersey	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New Mexico	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New York	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
North Carolina	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
North Dakota	. . .	. . .	PR,SP or GE	30 days	30 days	. . .	w/i 7 yrs.	N	w/i 7 yrs.	Y
Ohio	SS	Ohio Ballot Board	(l)	30 days	30 days	15	. . .	N	. . .	Y
Oklahoma	AG	AG	. . .	IM	IM	. . .	. . .	N	Y	after 3 yrs.
Oregon	AG	AG	GE even yrs.	30 days	30 days	40	N	N	Y	Y
Pennsylvania	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Rhode Island	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
South Carolina	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
South Dakota	P	AG	GE	1 day	1 day	10	Y	N	Y	Y
Tennessee	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Texas	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Utah	LC	LC	GE	. . .	5 days	21	Y	N	. . .	Y
Vermont	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Virginia	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Washington	AG	AG	GE	. . .	IM	5	after 2 yrs.	. . .	after 2 yrs.	Y
West Virginia	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Wisconsin	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Wyoming	SS	SS,AG	GE 120 days after LS	. . .	90 days	. . .	Y	N	after 2 yrs.	after 5 yrs.

Source: State election administration offices.

Key:

. . . — Not applicable
LG — Lieutenant Governor
SS — Secretary of State
AG — Attorney General
P — Proponent
LC — Legislative Council
LSS — Legislative Legal Services
BSC — Board of State Canvassers
SBE — State Board of Elections
PR — Primary election
GE — General election
REG — Regular election
SP — Special election
IM — Immediately
LS — Legislative session
Y — Yes
N — No
w/i — Within

(a) In some states, the ballot title and summary will differ from that on the petition.

(b) A majority of the popular vote is required to enact a measure. In Massachusetts and Nebraska, apart from satisfying the requisite majority vote, the measure must receive, respectively, 30% and 35% of the total votes cast in favor. An initiative approved by the voters may be put into effect immediately after the approving votes have been canvassed. In California and Nebraska, the measure may specify an enacting date.

(c) Individuals may contest the results of a vote on an initiative within a certain number of days after the election including the measure proposed.

(d) First statewide election at least 120 days after the legislative session.

(e) As specified.

(f) First Tuesday after the first Monday in January following the general election.

(g) After governor signs proclamation declaring its passage to voters.

(h) After election is certified.

(i) By vote of people for constitutional change.

(j) By legislative act.

(k) Fourth Wednesday in November.

(l) General election at least 90 days after filing.

Table 5.20
STATE REFERENDUMS: REQUESTING PERMISSION TO CIRCULATE A CITIZEN PETITION

State	Citizen petition (a)	Signatures required to request a petition (b)	Request submitted to:	Request forms furnished by: (c)	Restricted subject matter (d)	Individual responsible for petition		Financial contributions reported (e)	Deposit required (f)
						Title	Summary		
Alabama	...	...	...	...	...	...	...	...	...
Alaska	Y	100	LG	SP	Y	LG	LG	Y	$100
Arizona	Y	5% EV	SS	ST	N	...	...	Y	...
Arkansas	Y	...	AG	SP	N	AG	AG	Y	...
California	Y	...	AG	SP	N	AG	AG	Y	N
Colorado	Y	...	...	...	N	(g)	(g)	Y	...
Connecticut	...	...	...	...	...	...	...	...	...
Delaware	...	...	...	...	...	...	...	...	...
Florida	...	...	...	...	...	...	...	...	...
Georgia	...	...	...	...	...	...	...	...	...
Hawaii	...	...	...	...	...	...	...	...	...
Idaho	Y	20	SS	SP	N	AG	AG	Y	...
Illinois	...	...	...	...	Y	...	...	...	...
Indiana	...	...	...	...	...	...	...	...	...
Iowa	...	...	...	...	...	...	...	...	...
Kansas	...	...	...	...	...	...	...	...	...
Kentucky	Y	...	SS	...	Y	...	...	...	...
Louisiana	...	...	...	...	...	...	...	...	...
Maine	Y	5 (h)	SS	SP	Y	SS	SS	Y	...
Maryland	Y	...	SS	...	...	...	...	...	...
Massachusetts	Y	10	SS	ST	...	AG	AG	Y	...
Michigan	Y	...	...	...	Y	...	...	Y	...
Minnesota	...	...	...	...	...	...	...	...	...
Mississippi	...	...	...	...	...	...	...	...	...
Missouri	Y	...	SS	SP	Y	SS,AG	...	Y	...
Montana	Y	...	SS	SP	N	AG	AG	Y	N
Nebraska	Y	5% EV	SS	SP	Y	AG	AG	Y	N
Nevada	Y	...	SS	SP	N	...	...	(i)	N
New Hampshire	...	...	...	...	...	...	...	...	...
New Jersey	...	...	...	...	...	...	...	...	...
New Mexico	Y	...	SS	...	...	SS	SS	...	...
New York	...	...	...	...	...	...	...	...	...
North Carolina	...	...	...	...	...	...	...	...	...
North Dakota	Y	...	SS	SP	Y	SS	SS	Y (e)	...
Ohio	Y	...	SS	SP	Y	...	AG	Y	N
Oklahoma	Y	...	SS	SP	N	SS	SS	Y	...
Oregon	Y	...	SS	SP	N	SS	SS	Y	...
Pennsylvania	...	...	...	...	...	...	...	...	...
Rhode Island	...	...	...	...	...	...	...	...	...
South Carolina	...	...	...	...	...	...	...	...	...
South Dakota	Y	...	SS	SP	Y	P	...	Y	N
Tennessee	...	...	...	...	...	...	...	...	...
Texas	...	...	...	...	...	...	...	...	...
Utah	Y	5	LG	SP	N	LG	LG	N	...
Vermont	...	...	...	...	...	...	...	...	...
Virginia	...	...	...	...	...	...	...	...	...
Washington	Y	1	SS	SP	Y	AG	AG	Y	N
West Virginia	...	...	...	...	...	...	...	...	...
Wisconsin	...	...	...	...	...	...	...	...	...
Wyoming	Y	100	SS	SP	Y	SS	SS	Y	$100

Source: State election administration offices.

Key:

. . . — Not applicable
EV — Eligible voters
LG — Lieutenant Governor
SS — Secretary of State
AG — Attorney General
P — Proponent
ST — State
SP — Sponsor
Y — Yes
N — No

(a) Three forms of referendum exist: citizen petition, submission by the legislature, and constitutional requirement. This table outlines the steps necessary to enact a citizen's petition.

(b) Prior to circulating a statewide petition, a request for permission to do so must first be submitted to a specified state officer. Some states require such signatures to only be those of eligible voters.

(c) The form on which the request for petition is submitted may be the responsibility of the sponsor or may be furnished by the state.

(d) Restrictions may exist regarding the subject matter to which a referendum may be applied. The majority of these restrictions pertain to the dedication of state revenues and appropriations, and laws that maintain the preservation of public peace, safety and health. In Kentucky, referendums are only permitted for the establishment of soil and water and watershed conservation districts.

(e) In some states, a list of individuals who contribute financially to the referendum campaign must be submitted to the specified state officer with whom the petition is filed. In North Dakota, if over $100 in aggregate for calendar year.

(f) A deposit may be required after permission to circulate a petition has been granted. This amount is refunded when the completed petition has been filed correctly.

(g) Title Setting Board—secretary of state, attorney general, director of legislative legal services.

(h) The name and address of five voters.

(i) Expenditures advocating defeat or passage of the question in excess of $500 must be reported.

Table 5.21
STATE REFERENDUMS: CIRCULATING THE CITIZEN PETITION

State	Basis for signatures (see key below)	Maximum time period allowed for petition circulation (a)	Can signatures be removed from petition (b)	Completed petition filed: With	Completed petition filed: Days after legislative session
Alabama	. . .	. . .	. . .	. . .	. . .
Alaska	10% TV, from 2/3 ED	w/i 90 days of LS	Y	LG	90 days
Arizona	5% VG	w/i 90 days after LS	Y	SS	90 days
Arkansas	6% EV	. . .	. . .	SS	90 days
California	5% VG	90 days	Y	SS	90 days
Colorado	5% VSS	6 mos.	. . .	SS	90 days
Connecticut	. . .	. . .	. . .	. . .	. . .
Delaware	. . .	. . .	. . .	. . .	. . .
Florida	. . .	. . .	. . .	. . .	. . .
Georgia	. . .	. . .	. . .	. . .	. . .
Hawaii	. . .	. . .	. . .	. . .	. . .
Idaho	10% VG	. . .	. . .	SS	60 days
Illinois	. . .	. . .	. . .	. . .	. . .
Indiana	. . .	. . .	. . .	. . .	. . .
Iowa	. . .	. . .	. . .	. . .	. . .
Kansas	. . .	. . .	. . .	. . .	. . .
Kentucky	5% VG	. . .	. . .	SS	4 mos.
Louisiana	. . .	. . .	. . .	. . .	. . .
Maine	10% VG	90 days of LS (c)	. . .	SS	90 days
Maryland	3% VG	. . .	. . .	. . .	. . .
Massachusetts	3% VG	90 days	. . .	. . .	90 days
Michigan	5% VG	. . .	N	SS	90 days
Minnesota	. . .	. . .	. . .	. . .	. . .
Mississippi	. . .	. . .	. . .	. . .	. . .
Missouri	5% VG from 2/3 ED	. . .	Y	SS	90 days
Montana	5% VG, from 1/3 ED	1 yr.	Y	SS	6 mos.
Nebraska	5% VG, from 2/5 county	. . .	. . .	SS	90 days
Nevada	10% EV last GE	276 days	. . .	SS	120 prior to next GE
New Hampshire	. . .	. . .	. . .	. . .	. . .
New Jersey	. . .	. . .	. . .	. . .	. . .
New Mexico	10% EV last GE, from 3/4 county	. . .	. . .	. . .	4 mos. prior to next GE
New York	. . .	. . .	. . .	. . .	. . .
North Carolina	. . .	. . .	. . .	. . .	. . .
North Dakota	2% total population	. . .	. . .	SS	90 days after receiving
Ohio	6% EV, 3% each from 1/2 county	. . .	. . .	SS	90 days
Oklahoma	5% VH	. . .	N	SS	90 days
Oregon	4% VG	w/i 90 days of LS	N	SS	90 days
Pennsylvania	. . .	. . .	. . .	. . .	. . .
Rhode Island	. . .	. . .	. . .	. . .	. . .
South Carolina	. . .	. . .	. . .	. . .	. . .
South Dakota	5% VG	90 days	N	SS	90 days
Tennessee	. . .	. . .	. . .	. . .	. . .
Texas	. . .	. . .	. . .	. . .	. . .
Utah	10% VG	. . .	Y	LG	60 days
Vermont	. . .	. . .	. . .	. . .	. . .
Virginia	. . .	. . .	. . .	. . .	. . .
Washington	4% VG	w/i 90 days after LS	Y	SS	90 days
West Virginia	. . .	. . .	. . .	. . .	. . .
Wisconsin	. . .	. . .	. . .	. . .	. . .
Wyoming	15% TV, from 2/3 county	18 mos.	Y	SS	90 days

Source: State election administration offices.

Key:

. . . — Not applicable
VG — Total votes cast for the position of governor in the last election
EV — Eligible voters
TV — Total voters in the last general election
VH — Total votes cast for the office receiving the highest number of votes in last general election
VSS — Total votes cast for all candidates for the office of secretary of state at the previous general election.
ED — Election district
GE — General election
LS — Legislative session
LG — Lieutenant Governor
SS — Secretary of State
Y — Yes
N — No
w/i — Within

(a) The petition circulation period begins when petition forms have been approved and provided to or by the sponsors. Sponsors are those individuals granted permission to circulate a petition, and are therefore responsible for the validity of each signature on a given petition.

(b) Should an individual wish to remove his/her name from a petition, a request to do so must first be submitted in writing to the state officer with whom the petition is filed.

(c) Request for petition must be submitted within 10 days of adjournment of legislative session.

Table 5.22
STATE REFERENDUMS: PREPARING THE CITIZEN PETITION REFERENDUM TO BE PLACED ON THE BALLOT

State	Signatures verified by: (a)	*Within how many days after filing*	*No. of days to amend/appeal petition that is:*		*Penalty for falsifying petition (denotes fine, jail term)*	*Petition certified by:* (d)
			Incomplete (b)	*Not accepted* (c)		
Alabama	. . .	. . .	. . .	. . .	. . .	. . .
Alaska	Director of elections	60	10 (e)	. . .	Class B misdemeanor	LG
Arizona	SS, county recorder	10 (f)	. . .	10	Class 1 misdemeanor	SS
Arkansas	SS	. . .	30	15	$50-$100, 1-5 yrs.	SS
California	County clerk or registrar of voters	. . .	. . .	. . .	. . .	SS
Colorado	SS	21	. . .	. . .	. . .	SS
Connecticut	. . .	. . .	. . .	. . .	. . .	. . .
Delaware	. . .	. . .	. . .	. . .	. . .	. . .
Florida	. . .	. . .	. . .	. . .	. . .	. . .
Georgia	. . .	. . .	. . .	. . .	. . .	. . .
Hawaii	. . .	. . .	. . .	. . .	. . .	. . .
Idaho	County clerk	. . .	. . .	. . .	$5,000, 2 yrs.	. . .
Illinois	. . .	. . .	. . .	. . .	. . .	. . .
Indiana	. . .	. . .	. . .	. . .	. . .	. . .
Iowa	. . .	. . .	. . .	. . .	. . .	. . .
Kansas	. . .	. . .	. . .	. . .	. . .	. . .
Kentucky	. . .	. . .	. . .	. . .	. . .	. . .
Louisiana	. . .	. . .	. . .	. . .	. . .	. . .
Maine	SS, registrars of voters	. . .	. . .	. . .	. . .	. . .
Maryland	. . .	. . .	. . .	. . .	. . .	. . .
Massachusetts	. . .	. . .	. . .	. . .	. . .	. . .
Michigan	City and township clerks	. . .	. . .	. . .	. . .	BSC
Minnesota	. . .	. . .	. . .	. . .	. . .	. . .
Mississippi	. . .	. . .	. . .	. . .	. . .	. . .
Missouri	SS, local election authorities	. . .	. . .	. . .	Class A misdemeanor	SS
Montana	County registrar	28	. . .	. . .	$500, 6 mos.	SS
Nebraska	SS, county clerk, election commr.	40	. . .	. . .	Class IV felony	SS
Nevada	County clerk, registrar	20-50	. . .	. . .	$10,000, 1-10 yrs.	SS
New Hampshire	. . .	. . .	. . .	. . .	. . .	. . .
New Jersey	. . .	. . .	. . .	. . .	. . .	. . .
New Mexico	. . .	. . .	30	15	. . .	. . .
New York	. . .	. . .	. . .	. . .	. . .	. . .
North Carolina	. . .	. . .	. . .	. . .	. . .	. . .
North Dakota	SS	. . .	20	. . .	. . .	. . .
Ohio	County board of elections	. . .	10	. . .	$1000, 6 mos.	SS
Oklahoma	. . .	. . .	. . .	. . .	$500, 2 yrs.	. . .
Oregon	SS, county elections officials	15	. . .	. . .	Class C felony (possible)	SS
Pennsylvania	. . .	. . .	. . .	. . .	. . .	. . .
Rhode Island	. . .	. . .	. . .	. . .	. . .	. . .
South Carolina	. . .	. . .	. . .	. . .	. . .	. . .
South Dakota	SS	. . .	. . .	. . .	. . .	SS
Tennessee	. . .	. . .	. . .	. . .	. . .	. . .
Texas	. . .	. . .	. . .	. . .	. . .	. . .
Utah	County clerks	60	. . .	. . .	$1500, 2 yrs.	LG
Vermont	. . .	. . .	. . .	. . .	. . .	. . .
Virginia	. . .	. . .	. . .	. . .	. . .	. . .
Washington	SS	(g)	. . .	10 (h)	. . .	SS
West Virginia	. . .	. . .	. . .	. . .	. . .	. . .
Wisconsin	. . .	. . .	. . .	. . .	. . .	. . .
Wyoming	SS	60	60	60	$1,000, 1 yr.	. . .

Source: State election administration offices.

Key:

. . . — Not applicable

SS — Secretary of State

LG — Lieutenant Governor

BSC — Board of State Canvassers

SBE — State Board of Elections

(a) The validity of the signatures, as well as the correct number of required signatures must be verified before the referendum is allowed on the ballot.

(b) If an insufficient number of signatures are submitted, sponsors may amend the original petition by filing additional signatures within a given number of days after filing. If the necessary number of signatures have not been submitted by this date, the petition is declared void.

(c) In some cases, the state officer will not accept a valid petition. In such cases, sponsors may appeal this decision to the Supreme Court, where the sufficiency of the petition will be determined. If the petition is determined to be sufficient, the referendum is required to be placed on the ballot.

(d) A petition is certified for the ballot when the required number of signatures have been submitted by the filing deadline, and are determined to be valid.

(e) If within 90 days of the legislative session.

(f) In Arizona, the secretary of state has 48 hours to count signatures and 15 days to complete random sample; the county recorder then has 10 days to verify signatures.

(g) No specified time.

(g) In Washington, a petition that is not accepted may be appealed in 10 days.

Table 5.23
STATE REFERENDUMS: VOTING ON THE CITIZEN PETITION REFERENDUM

State	Ballot (a)		Election where referendum voted on	Effective date of approved referendum (b)	Days to contest election results (c)
	Title by:	Summary by:			
Alabama	. . .	. . .	. . .	. . .	. . .
Alaska	LG,AG	LG,AG	1st statewide election 180 days after LS	30 days	5
Arizona	. . .	. . .	GE	IM	5
Arkansas	AG	AG	GE	30 days	60
California	AG	AG	GE or SP 31 days after LS	IM	. . .
Colorado	SS,AG,LSS	SS,AG,LSS	GE	30 days	. . .
Connecticut	. . .	. . .	. . .	. . .	. . .
Delaware	. . .	. . .	. . .	. . .	. . .
Florida	. . .	. . .	. . .	. . .	. . .
Georgia	. . .	. . .	. . .	. . .	. . .
Hawaii	. . .	. . .	. . .	. . .	. . .
Idaho	AG	AG	Biennial or REG	30 days	. . .
Illinois	. . .	. . .	. . .	. . .	. . .
Indiana	. . .	. . .	. . .	. . .	. . .
Iowa	. . .	. . .	. . .	. . .	. . .
Kansas	. . .	. . .	. . .	. . .	. . .
Kentucky	. . .	. . .	GE or SP	IM	. . .
Louisiana	. . .	. . .	. . .	. . .	. . .
Maine	. . .	. . .	GE or SP more than 60 days but less than 6 mos. after LS	30 days	. . .
Maryland	. . .	. . .	. . .	30 days	. . .
Massachusetts	. . .	. . .	GE more than 60 days after filing	30 days	. . .
Michigan	BSC	BSC	GE	10 days	2 (d)
Minnesota	. . .	. . .	. . .	. . .	. . .
Mississippi	. . .	. . .	. . .	. . .	. . .
Missouri	SS	LC	GE or SP called by legislation	IM	30
Montana	AG	AG	GE	Oct. 1 (e)	. . .
Nebraska	AG	AG	GE not less than 30 days after filing	10 days	40
Nevada	SS,AG	SS,AG	GE	IM	10
New Hampshire	. . .	. . .	. . .	. . .	. . .
New Jersey	. . .	. . .	. . .	. . .	. . .
New Mexico	SS	. . .	GE	IM	. . .
New York	. . .	. . .	. . .	. . .	. . .
North Carolina	. . .	. . .	. . .	. . .	. . .
North Dakota	SS	. . .	PR or SP	30 days	. . .
Ohio	. . .	Ohio Ballot Bd.	GE more than 60 days after filing	30 days	15
Oklahoma	SS	. . .	GE or SP	IM	. . .
Oregon	AG	. . .	GE or SP	30 days	40
Pennsylvania	. . .	. . .	. . .	. . .	. . .
Rhode Island	. . .	. . .	. . .	. . .	. . .
South Carolina	. . .	. . .	. . .	. . .	. . .
South Dakota	P	AG	GE	1 day	10
Tennessee	. . .	. . .	. . .	. . .	. . .
Texas	. . .	. . .	. . .	. . .	. . .
Utah	LC	LC	GE	5 days (e)	21
Vermont	. . .	. . .	. . .	. . .	. . .
Virginia	. . .	. . .	. . .	. . .	. . .
Washington	AG	AG	GE	IM	5
West Virginia	. . .	. . .	. . .	. . .	. . .
Wisconsin	. . .	. . .	. . .	. . .	. . .
Wyoming	SS	SS,AG	GE more than 180 days after LS	30 days	30

Source: State election administration offices.

Key:

. . . — Not applicable
LG — Lieutenant Governor
AG — Attorney General
SS — Secretary of State
BSC — Board of State Canvassers
LC — Legislative Counsel
LSS — Legislative Legal Services
GE — General election
PR — Primary election
REG — Regular election
SP — Special election
IM — Immediately
LS — Legislative session

(a) In some states, the ballot title and summary will differ from that on the petition.

(b) A majority of the popular vote is required to enact a measure in every state. In Nebraska, a referendum approved by the voters may be put into effect immediately after the approving votes have been canvassed by the governor or after a certain number of days have passed following the vote for a successful referendum. In Massachusetts the measure must also receive at least 30 percent of the total ballots cast in the last election.

(c) Individuals may contest the results of a vote on a referendum within a certain number of days after the election including this matter. In Alaska, five days to request recount with appeal to the court within five days after recount.

(d) After election is certified.

(e) Unless otherwise specified.

Table 5.24
STATE RECALL PROVISIONS: APPLICABILITY TO STATE OFFICIALS AND PETITION CIRCULATION

State	*Officers to whom recall is applicable* (a)	*No. of times recall can be attempted*	*Recall may be initiated after official has been in office*	*Recall may not be initiated with days remaining in term*	*Basis for signatures* (b) *(see key below)*		*Maximum time period allowed for petition circulation* (c)
					Statewide officers	*Others*	
Alabama	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Alaska	All but judicial officers	. . .	120 days	180 days	25% VO	25% VO	. . .
Arizona	All	(d)	6 mos./5 days legislators	. . .	25% VO	25% VO	120 days
Arkansas	. . .	. . .	. . .	. . .	. . .	. . .	. . .
California	All	(e)	No limit	. . .	12% VO, 1% from 5 counties	20% VO	160 days
Colorado	All	(f)	6 mos./5 days general assembly	. . .	25% VO	25% VO	60 days
Connecticut	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Delaware	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Florida	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Georgia	All	. . .	180 days	180 days	15% VO, 1/15 from each congressional district	30% VO	90 days (g)
Hawaii	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Idaho	All but judicial officers	(d)	90 days	. . .	20% EVg	20% EV	60 days
Illinois	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Indiana	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Iowa	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Kansas	All but judicial officers	1 time	120 days	200 days	40% VO	40% VO	90 days
Kentucky	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Louisiana	All but judicial officers of records	(h)	. . .	. . .	33 1/3% EV (i)	33 1/3% EV (i)	180 days
Maine	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Maryland	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Massachusetts	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Michigan	All but judicial officers of records	. . .	6 mos.	. . .	25% VG	25% VG	(j)
Minnesota	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Mississippi	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Missouri	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Montana	All public officers elected or appt.	(d)	2 mos.	. . .	15% EV	(k)	3 mos.
Nebraska	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Nevada	All public officers	(d)	6 mos. (l)	. . .	25% EV in given jurisdiction	25% EV in given jurisdiction	60 days
New Hampshire	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New Jersey	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New Mexico	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New York	. . .	. . .	. . .	. . .	. . .	. . .	. . .
North Carolina	. . .	. . .	. . .	. . .	. . .	. . .	. . .
North Dakota	All	1 time	. . .	. . .	25% EVg	25% EVg	. . .
Ohio	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Oklahoma	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Oregon	All but U.S. Congress	(d)	6 mos./5 days general assembly	. . .	15% voters for state supreme justice	15% voters for state supreme justice	90 days
Pennsylvania	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Rhode Island	. . .	. . .	. . .	. . .	. . .	. . .	. . .
South Carolina	. . .	. . .	. . .	. . .	. . .	. . .	. . .

STATE RECALL PROVISIONS: PETITION REVIEW—Continued

State	Signatures verified (a) by:	Days to amend/appeal a petition that is:		Penalty for falsifying petition (denotes fines, jail time)	Days allowed for petition to be certified (d)	Days to step down after certification (e)	Voting on the recall (f)		Days to contest election results (g)
		Incomplete (b)	Not accepted (c)				Election held	Election type	
Virginia	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Washington	SS, county auditor	. . .	10 (j)	Felony	w/i 10	IM	45-60 days after cert.	SP	10
West Virginia	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Wisconsin	Filing offices (k)	5	7 (l)	Not more than $10,000, not more than 3 yrs. or both	31	10	6 weeks after cert.	SP (m)	3 (n)
Wyoming	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .

Source: State election administration offices.

Key:

. . . — Not applicable
SS — Secretary of State
SP — Special election
GE — General election
PR — Primary election
IM — Immediate and automatic removal from office
w/i — Within

(a) The validity of the signatures, as well as the correct number of required signatures must be verified before the recall is allowed on the ballot.

(b) If an insufficient number of signatures are submitted, sponsors may amend the original petition by filing additional signatures within a given number of days. If the necessary number of signatures have not been submitted by this date, the petition is declared void.

(c) In some cases, the state officer will not accept a valid petition. In such a case, sponsors may appeal this decision to the Supreme Court, where the sufficiency of the petition will be determined. When this is declared, the recall is required to be placed on the ballot.

(d) A petition is certified for the ballot when the required number of signatures have been submitted by the filing deadline, and are determined to be valid.

(e) The official to whom a recall is proposed has a certain number of days to step down from his position before a recall election is inititated, if he desires to do so.

(f) A majority of the popular vote is required to recall an official in each state.

(g) Individuals may contest the results of a vote on a recall within a certain number of days after the results are certified. In Alaska, five days to request recount with appeal to court within five days of recount.

(h) After election is certified.

(i) In Nevada, a recall election is held 10-20 days after the court determines a recall election is to be held. In South Dakota, a recall election is held 30-50 days after the governing board orders a recall election. The governing board must meet within 10 days after the petition is filed.

(j) In Washington, a petition that is not accepted may be appealed in 10 days.

(k) Where declaration of candidacy is filed.

(l) After certificate.

(m) May be held on general election but is still considered special election.

(n) Business days.

CHAPTER SIX

STATE FINANCES

STATE RECALL PROVISIONS: APPLICABILITY TO STATE OFFICIALS—Continued

State	Officers to whom recall is applicable (a)	No. of times recall can be attempted	Recall may be initiated after official has been in office	Recall may not be initiated with days remaining in term	Basis for signatures (b) (see key below)		Maximum time period allowed for petition circulation (c)
					Statewide officers	*Others*	
South Dakota	Municipal only (1st & 2nd class)	. . .	. . .	. . .	. . .	15% EV	. . .
Tennessee	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Texas	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Utah	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Vermont	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Virginia	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Washington	All but judges of courts of records	. . .	IM	180 days	25% VO	35% VO	(m)
West Virginia	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Wisconsin	All	1 time	1 yr. (n)	. . .	25% VG (o)	25% VP (p)	60 days (q)
Wyoming	. . .	. . .	. . .	. . .	. . .	. . .	. . .

Source: State election administration offices.

Key:

. . . — Not applicable
All — All elective officials
VO — Number of votes cast in the last election for the office or official being recalled
EVg — Number of eligible voters in the last general election for governor
EV — Eligible voters
VG — Total votes cast for the position of governor in the last election.
VP — Total votes cast for position of president in last presidential election
IM — Immediately

(a) An *elective* official may be recalled by qualified voters entitled to vote for the recalled official's successor. An *appointed* official may be recalled by qualified voters entitled to vote for the successor(s) of the elective officer(s) authorized to appoint an individual to the position.

(b) Signature requirements for recall of those other than state elective officials are based on votes in the jurisdiction to which the said official has been elected.

(c) The petition circulation period begins when petition forms have been approved and provided to sponsors. Sponsors are those individuals granted permission to circulate a petition, and are therefore responsible for the validity of each signature on a given petition.

(d) Additional recall attempts can be made provided that the state treasury is reimbursed the cost of the previous recall attempt(s).

(e) Must wait until 6 months after the first recall attempt.

(f) If signatures are obtained at least equal in number to 50% of those voting in the last general election.

(g) 90 days for statewide, others vary by number of signatures required.

(h) Must wait at least until 18 months after the first recall attempt.

(i) Basis for signatures — 33 1/3% if over 1,000 EV; 40% if under 1,000 EV.

(j) In Michigan, signatures dated more than 90 days prior to the filing deadline are ruled invalid.

(k) 15% EV for district or county officials, 10% EV for municipal or school officials.

(l) Six months or 10 days after legislative session begins for legislators.

(m) Statewide officials—270 days; others—180 days.

(n) Petition may be filed after official has been in office one year.

(o) State, congressional, judicial, legislative and county offices.

(p) For city, village, town and school district elected officials.

(q) For statewide offices, 30 days for local offices (city, town and village).

Table 5.25
STATE RECALL PROVISIONS: PETITION REVIEW, APPEAL AND ELECTION

State	*Signatures verified* (a) *by:*	*Days to amend/appeal a petition that is:*		*Penalty for falsifying petition (denotes fines, jail time)*	*Days allowed for petition to be certified* (d)	*Days to step down after certification* (e)	*Voting on the recall* (f)		*Days to contest election results* (g)
		Incomplete (b)	*Not accepted* (c)				*Election held*	*Election type*	
Alabama	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Alaska	Director of elections	20	20	Class B misdemeanor	30	. . .	60-90 days after cert.	SP,GE or PR	5
Arizona	SS, county recorder	. . .	10	Class 1 misdemeanor	75	5	100-120 days after cert.	SP	5
Arkansas	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
California	County clerk/registrar of voters	. . .	. . .	. . .	. . .	. . .	60-80 days after cert.	SP	. . .
Colorado	. . .	60	. . .	. . .	30-60	5	60-90 days after cert.	SP or GE	. . .
Connecticut	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Delaware	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Florida	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Georgia	Election supervisor	Not allowed	10	$1,000, 12 mos.	30-45	. . .	30-45 days after cert.	SP,PR or GE	5
Hawaii	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Idaho	SS, county clerk	30	10	$5,000, 2 yrs.	10	5	45-60 days after cert.	SP or GE	. . .
Illinois	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Indiana	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Iowa	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Kansas	County election officer	. . .	. . .	. . .	30	. . .	60-90 days after cert.	SP or GE	30
Kentucky	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Louisiana	Registrar of voters	. . .	. . .	$100-1,000, 30-90 days	10	. . .	at least 60 days after-cert.	SP	30
Maine	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Maryland	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Massachusetts	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Michigan	SS	. . .	. . .	. . .	35	. . .	w/i 60 days after cert.	SP	2 (h)
Minnesota	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Mississippi	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Missouri	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Montana	County clerk	20	. . .	$500, 6 mos.	30	5	3 mos. after cert.	SP or GE	. . .
Nebraska	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Nevada	County clerk, registrar	. . .	. . .	$10,000, 1-10 yrs.	20-50	5	(i)	SP	10
New Hampshire	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New Jersey	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New Mexico	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
New York	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
North Carolina	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
North Dakota	SS	20	. . .	. . .	35	10	30-90 days after cert.	SP or GE	. . .
Ohio	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Oklahoma	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Oregon	SS or county clerk	. . .	. . .	Class C felony (possible)	10	5	35 days after cert.	SP	40
Pennsylvania	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Rhode Island	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
South Carolina	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
South Dakota	Municipal finance officer	. . .	. . .	. . .	. . .	. . .	(i)	SP	. . .
Tennessee	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Texas	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Utah	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Vermont	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .

STATE FINANCES IN A CHANGING ECONOMY

By Marcia A. Howard

Overview

Beginning in New England in fiscal year 1989,[1] states entered a period that is regarded as one of the most difficult in the recent past. One state after another found its revenue growth not keeping pace with the growth rate that had been estimated for the fiscal year and insufficient to meet the expenditures incorporated into enacted budgets. This development was met with some skepticism, however, since the national economy was still growing and there were no signs of recession. It was not until January 1990, midway through fiscal year 1990, that states outside of the New England region began to feel the fiscal pressure. As the months wore on, more states joined the ranks of those whose budgets had fallen out of balance.

Finally, in the summer of 1990, more than a full year after the first signs of fiscal stress in the states, the national economy officially fell into recession. By that time, nearly half the states had experienced budget imbalances and had taken the steps necessary to correct them. Tax increases enacted in 1990, and scheduled to take effect in fiscal year 1991, totaled more than $10 billion; budget cuts totaled almost $3 billion. By the time the recession hit, states had enacted their fiscal 1991 budgets, budgets that had not assumed the onset of a national recession. It arrived without warning.

Fiscal year 1991 started off badly. Almost from the first day, states began announcing they would not be able to meet spending commitments because of insufficient revenues. Although still concentrated in the northeastern United States, budget troubles began to creep into other regions, most notably the Southeast, portions of the Midwest, and California. By the end of the fiscal year, state taxes had increased by another $15 billion and budgets had been cut by more than $7.5 billion. States entered fiscal year 1992 hoping national forecasts predicting the end of the recession in the summer of 1991 would be correct.

They were wrong. Rather than rebound as forecast, consumer confidence continued to decline throughout the summer, and once again states were faced with budgets that were out of balance. By the middle of the fiscal year, at least 30 states had developed budget imbalances that would have to be addressed before the fiscal year ended. This time, however, states also realized their problems ran deeper than the recession. Not only were they collecting fewer revenues than anticipated, they also were spending more than budgeted for some programs. In particular, Medicaid and corrections continued to surface as programs whose growth was running unchecked — and too high to be sustained over the long term. As a result, the states' attention turned from short-term survival to long-term structural changes.

How Did States Get Here?

What caused the state difficulties that predated the onset of a national recession? Several factors contributed to state fiscal stress including spending issues related to health care and corrections, court decisions, changing intergovernmental relationships, and revenue and spending patterns from the 1980s.

Health Care and Corrections

For states, the single largest budget problem has been the growth of the Medicaid pro-

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gram over the last five years. Medicaid, which provides medical care for the poor, is a joint federal/state program mandated by the federal government, run by state government, and funded by both. Figure 1 shows a percentage breakdown of total state expenditures for several major categories.

By 1970, five years after its enactment, Medicaid represented approximately 4 percent of state spending. By 1980 it had grown to 9 percent, and by 1990 to 14 percent.[2] It is now the second largest state spending program, having surpassed higher education in fiscal year 1990. Its average growth in both fiscal years 1990 and 1991 was 20 percent, the highest of any state program.[3] Medicaid is expected to grow from a $71 billion program (state and federal shares in 1990) to a $183 billion program by 1995.

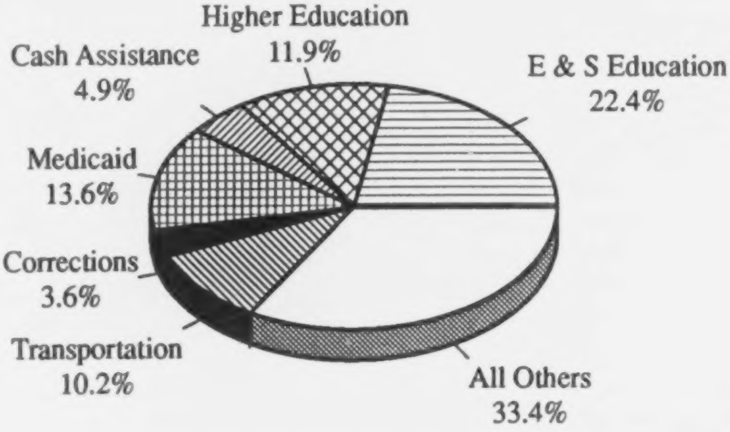
States cannot reasonably expect to fund growth of this magnitude while providing other services and without raising taxes. With the limited revenue growth of the last few years, some states have found that Medicaid increases absorb the additional revenue they generate from one year to the next. Over the long term, this growth is unsustainable.

However, states are limited in what they can do to remedy the problems in Medicaid spending growth. While some of the increases are tied to programs enacted by the U.S. Congress during the early 1990s, much of the increase simply results from the rising cost of health care. And since Medicaid is a federally-mandated program, states find it difficult to cut the program in ways that significantly reduce costs. For the short term, then, they are forced either to raise taxes or cut other programs to fund additional Medicaid spending. Over the longer term, they hope to work with the federal government to address the underlying problems in both Medicaid and health care in general.

The spending problem in corrections is somewhat different. Here, state spending is driven not so much by federal action or rising costs as by decisions made by the individual states and their citizens about how crime should be punished. The increase in drug-related crimes and stiffer penalties for those committing crimes have resulted in more people being sent to prison for longer periods of time. The associated costs are significant.

Like Medicaid, corrections over the last few years has grown faster than overall state spending. In fiscal year 1990, corrections grew by 19 percent, and in fiscal year 1991, by 14 percent.[4] As state budget problems escalated

Figure 1
Total State Expenditures, Fiscal Year 1991



Source: National Association of State Budget Officers in fiscal 1990 and 1991, some states, such as Illinois and Michigan, were unable to open newly constructed prisons because they did not have sufficient funds to operate them. Yet, public sentiment on this issue has been clear: longer sentences, less generous (or no) parole, and higher sentencing rates are consistently favored by taxpayers and voters. These preferences also are very expensive: incarcerating a single prisoner can cost as much as $30,000 per year in a maximum security facility.

Court Decisions

In areas ranging from corrections to education and from Medicaid to taxes, courts have handed down decisions resulting in increased state expenditures or decreased state revenues.

- In corrections, state after state has been put under court order to relieve overcrowding or improve prison conditions. Well over half of the states are under court order to reduce crowding, a factor that explains part of the explosion in corrections spending.
- In education, states increasingly are being told by state courts that the mechanisms they use to fund elementary and secondary education are inequitable. To address these inequalities, states have tended to increase overall spending on education. Among the states responding to such court decisions in recent years are Kentucky, Tennessee and Texas.
- One of the methods states have used to address rising costs in Medicaid is to reduce their reimbursement rates to doctors, hospitals and nursing homes. Courts have consistently ruled against this practice, forcing states to maintain or increase the reimbursement rates.
- In the area of tax policy, courts have forced states to change their taxation of federal retirement benefits and forbidden the collection of state sales taxes on mail order sales. Both actions have reduced state tax revenues.

The full impact of judicial decisions on state budgets has yet to be successfully measured, but there is evidence that court actions have tended to add to the states' costs in providing public services.

Intergovernmental Relationships

Intergovernmental relationships include state/federal relations and state/local relations. Throughout the 1980s, the federal government scaled-back its role in both state and local affairs. While states had never been major recipients of federal grants-in-aid, local governments had, and they sorely felt the withdrawal of federal support.

General Revenue Sharing, the major federal program that provided discretionary grants to states, was eliminated in 1981. With the disappearance of revenue sharing, federal grants to states became disproportionately comprised of grants to individuals (such as Medicaid and Aid to Families with Dependent Children). In 1960, payments to individuals represented 35 percent of the total federal grants to states and by 1980, this share had grown to only 36 percent. By 1990, however, it had skyrocketed to 60 percent, reflecting the elimination of revenue sharing, the slow growth of other grant programs, and the increasing cost of Medicaid.[5] Thus, states have had to adjust to decreasing federal contributions to state programs, and a primary shift in those contributions from discretionary grants to entitlements.

Along with reductions in its discretionary aid to state governments, the federal government imposed new costs on the states in the form of federal mandates. In the late 1980s, mandates became one of the most costly additions to state budgets as the federal government retained its desire to enact new policies, but lacked the resources to fund them. Instead, Congress and the Administration passed the costs of policy initiatives on to state governments in the form of mandated programs. The Omnibus Budget Reconciliation Act of 1990 (OBRA) alone added more than $13.3 billion in additional costs to state and local governments.[6]

As the federal government was scaling back its role in state government, it was doing the same to local government. With far more limited revenue-raising options available to them, many local governments responded to declining federal contributions by turning to their state governments to fill the gap. Throughout the 1980s, prior to the onset of their budget difficulties, states responded positively to this appeal. Between 1982 and 1988, state aid to local government increased at an average rate of 8.4 percent a year, while overall state spending grew at an annual rate of 7.2 percent.

Revenue and Spending Patterns

If the recession, growth in Medicaid and corrections spending, court decisions, and changing intergovernmental relationships all contributed to the fiscal stress that states now face, so did the strong revenue growth of the 1980s and the ambitious spending programs these revenues allowed states to pursue.

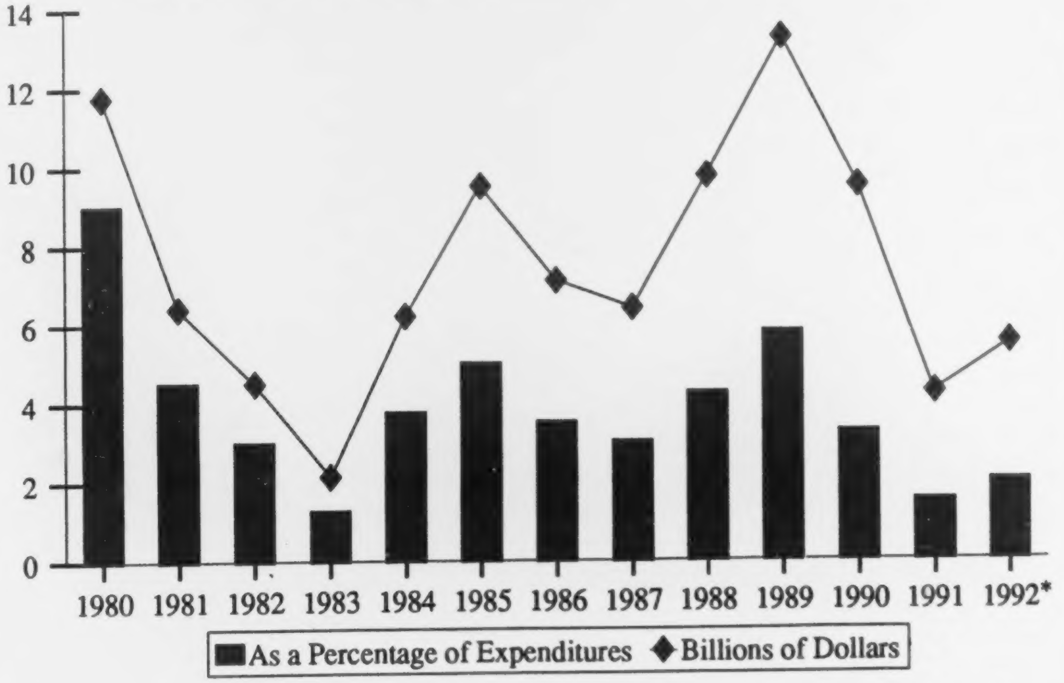
Coming out of the recession of the early 1980s, states began to experience strong revenue growth. While growth varied among regions, states generally found that they could pay for the increased cost of standard services and initiate new programs without significant tax increases. In fact, in response to changes in the federal tax structure that created a "windfall" for state revenues, many states actually cut taxes during this period.

The result of strong revenue growth and accompanying spending growth had two significant effects: it increased the "base" of state budgets, and it minimized the amount of money states were saving. Both would come back to haunt states once the recession began in 1990.

To illustrate the problem of increasing the base of state budgets, consider the difficulty faced by a state whose budget was growing on the average of 8 percent per year during the mid- to late-1980s. When revenue growth suddenly declined to 4 percent, that state faced the dilemma of cutting spending, increasing taxes, or delving into savings. Most states

Figure 2

Total State Year-End Balances, Fiscal Year 1980 to Fiscal Year 1992



*Data for this year are estimated.

Source: National Association of State Budget Officers chose the latter two options, allowing themselves to finance expenditures that exceeded revenues. Those decisions had two effects, however. They reduced the states' ability to impose tax increases once the recession actually started, and depleted state savings.

Most states "save" money in one of two ways. They either maintain an ending balance that is available for appropriation should additional funds be necessary, or they keep it in budget stabilization (or "rainy day") funds. The latter were widely adopted after the recession of the early 1980s to provide greater fiscal security and remove the temptation of readily available funds. The sum of ending balances and budget stabilization funds — total balances — is generally regarded as the single best measure of state fiscal condition.

Even though revenue growth in the 1980s was strong, states never achieved the percentage of total balances they held early in the decade. Figure 2 shows total state year-end balances as a percent of expenditures, and in dollars for fiscal year 1980 through fiscal year 1992. When balances peaked in fiscal 1989, they represented the largest dollar amount ever ($12.5 billion), but accounted for only 4.8 percent of total state spending; in 1980, they had accounted for 9 percent of total state spending. By the time the country "officially" went into recession early in fiscal year 1991, total balances had fallen to their lowest level ever.

Because they had used up most of their balances, or reserves, prior to the onset of a recession, many states were forced either to cut spending or raise taxes to deal with continuing budget shortfalls. Their long-term problems were compounded because they chose to use up their balances — rather than make difficult spending decisions — in the short run. In hindsight, it is clear that the strong revenue growth of the mid- and late-1980s contributed to the difficult years that followed in many states.

Conclusion

The fiscal distress felt by the majority of states in the early 1990s is a result of many factors. The national recession is the most important of these, and the problems associated with it will be temporary. Other factors, however, have contributed to a structural deficit in many states — an expenditure path that cannot be sustained by current revenue systems. This longer-term problem will not go away once the recession ends. For the next several years, states will struggle to realign their spending and taxing programs into more evenly-balanced systems.

Notes

[1] A reference to fiscal year 1989 refers to the fiscal year that ended in 1989. Forty-six states' fiscal years begin on July 1 and end on June 30. Exceptions are New York (April 1-March 30), Texas (September 1-August 31), and Alabama and Michigan (October 1-September 30).

[2] Estimates prepared by the National Association of State Budget Officers.

[3] National Association of State Budget Officers, *State Expenditure Report, 1991*, p. 45.

[4] National Association of State Budget Officers, *State Expenditure Report, 1991*, p. 53.

[5] Data provided by Allen Schick, University of Maryland, in a briefing document for the Congressional Research Service.

[6] Martha A. Fabricius, "More Dictates From the Feds," *State Legislatures*, February 1991, p. 28.

Selected References

Advisory Commission on Intergovernmental Relations, *Significant Features of Fiscal Federalism*, published annually.

National Association of State Budget Officers, *Fiscal Survey of the States*, published twice per year.

National Association of State Budget Officers, *State Expenditure Report*, published annually.

National Conference of State Legislatures, *State Budget and Tax Actions*, published annually.

State Policy Research, *State Policy Reports*, published twice per month.

U.S. Bureau of the Census, Governments Division, *State Government Finances*, published annually.

Table 6.1
STATE BUDGETARY CALENDARS

State	Budget guidelines to agencies	Agency requests submitted to governor	Agency hearings held	Governor's budget sent to legislature	Legislature adopts budget	Fiscal year begins	Frequency of legislative/budget cycles
Alabama	July	Oct/Nov	December	February	Feb/May	October	Annual/Annual
Alaska	August	October	November	December	May	July	Annual/Annual
Arizona	June	September	October	January	April	July	Annual/Annual
Arkansas	March	July	August	Sept/Dec	Jan/April	July	Biennial/Biennial
California	July/Nov	Aug/Sept	Aug/Oct	January	June	July	Annual/Annual
Colorado	June	August	September	November (a)	April	July	Annual/Annual
Connecticut	July	September	February	February	May/June (b)	July	Annual/Annual
Delaware	August	Oct/Nov	Oct/Nov	January	June	July	Annual/Annual
Florida	July/August	Oct/Nov	November	February	June	July	Annual/Biennial (c)
Georgia	May	September	Nov/Dec	January	March	July	Annual/Annual
Hawaii	June/July	Aug/Sept	November	January (d)	April	July	Annual/Biennial
Idaho	July	August	November	January	March	July	Annual/Annual
Illinois	August	Nov/Dec	Nov/Dec	March	June	July	Annual/Annual
Indiana	June	September	Oct/Nov	January	April/May	July	Annual/Annual
Iowa	June	August	Nov/Dec	January	April/May	July	Annual/Annual
Kansas	August	September	Oct/Nov	January	April/May	July	Annual/Annual
Kentucky	July	October	Oct/Dec	January	March/April	July	Biennial/Biennial
Louisiana	September	December	January	April	July	July	Annual/Annual
Maine	July	August	Oct/Dec	January	June	July	Biennial/Biennial
Maryland	July	Aug/Sept	Oct/Nov	January	April	July	Annual/Annual
Massachusetts	August	October	October	January	June	July	Annual/Annual
Michigan	June	Sept/Nov	Oct/Dec	February	June	October	Annual/Annual
Minnesota	August	October	November	January	May	July	Annual/Biennial
Mississippi	June	August	September	December	March/April	July	Annual/Annual
Missouri	July	October	. . .	January	April/May	July	Annual/Annual
Montana	June	August	Nov/Dec	December	April	July	Biennial/Biennial
Nebraska	July	September	January	January	April	July	Annual/Biennial
Nevada	June	August	Sept/Dec	January	June	July	Biennial/Annual
New Hampshire	June	October	November	February	June	July	Annual/Biennial
New Jersey	May	October	. . .	January	June	July	Annual/Annual
New Mexico	July	September	Oct/Dec	January	Feb/March	July	Annual/Annual
New York	July	September	Oct/Nov	January	March	April	Annual/Annual
North Carolina	March	August	November	February	July	July	Biennial/Biennial (e)
North Dakota	March	June/July	July/Oct	December	Jan/April	July	Biennial/Biennial
Ohio	September (f)	October (f)	Sept/Nov	Jan/March (g)	June	July	Biennial/Biennial
Oklahoma	July	September	Sept/Nov	February	May	July	Annual/Annual
Oregon	June	August	Oct/Nov	December	June/July	July	Biennial/Biennial
Pennsylvania	August	October	Dec/Jan	February (h)	June	July	Annual/Annual
Rhode Island	June/July	October	November	February	May/June	July	Annual/Annual
South Carolina	May	August	September	January	June	July	Annual/Annual
South Dakota	June/July	October	Oct/Nov	December	March	July	Annual/Annual
Tennessee	August	November	November	January	April/May	July	Annula/Annual
Texas	March	June	July/Sept	January	May	September	Biennial/Biennial
Utah	July/August	Sept/Oct	November	December	February	July	Annual/Annual
Vermont	August	November	Sept/Oct	January	May	July	Annual/Annual
Virginia	May (f)	August (f)	Sept/Nov	January	March	July	Annual/Biennial (i)
Washington	April	September	October	December	May	July	Annual/Biennial (j)
West Virginia	July/August	September	Oct/Dec	January	March	July	Annual/Annual
Wisconsin	May	October	March	January	June	July	Annual/Biennial
Wyoming	July/August	Oct/Nov	November	December	March	July	Annual/Biennial

Source: National Association of State Budget Officers, *Budgetary Process in the States* (July 1989); updated April 1992 by The Council of State Governments. Update reflects literal reading of state constitutions and statutes.

(a) Governor submits approved department budgets to legislature November 1. Final statewide budget is submitted in January.

(b) Legislature adopts budget during June of odd years, May of even years.

(c) Biennial budget submission but annual appropriation.

(d) Budget document due to legislature ai end of December. Appropriations bill due in January.

(e) With annual updates.

(f) These dates are for the operating expense budget. For the capital budget, guidelines are sent to agencies in December, with requests due by March 1.

(g) Budget is submitted in January except during inauguration, then sumittted in in March. Appropriations are annual.

(h) Budget is submitted in March when governor has been elected for first full term.

(i) Virginia adopts a biennial budget in the even-numbered year. It is amended by the General Assembly in the odd-numbered year.

(j) There are annual updates of the budget.

Table 6.2
OFFICIALS OR AGENCIES RESPONSIBLE FOR BUDGET PREPARATION, REVIEW AND CONTROLS

State or other jurisdiction	*Official/agency responsible for preparing budget document*	*Special budget review agency in legislative branch*	*Agency(ies) responsible for budgetary and related accounting controls*
Alabama	State Budget Off., Dept. of Finance	Legislative Fiscal Off.	Dept. of Finance
Alaska	Director, Off. of Mgt. & Budget, Off. of the Governor	Div. of Legislative Audit; Div. of Legislative Finance; Administrative Services Div., Legislative Affairs Agcy.	Div. of Finance, Dept. of Admn.
Arizona	Director, Off. of Strategic Planning & Budgeting	Jt. Legislative Budget Cmte.	Div. of Finance, Dept. of Admn.
Arkansas	Administrator, Off. of Budget, Dept. of Finance & Admn.	Fiscal & Tax Research Services, Bur. of Legislative Research	Dept. of Finance & Admn.
California	Director, Dept. of Finance	Senate Cmte. on Budget & Fiscal Review; Assembly Ways & Means Cmte.; Off. of Legislative Analyst	Dept. of Finance
Colorado	Director, Off. of State Planning & Budgeting	Jt. Budget Cmte.; Legislative Council	Div. of Accounts & Control, Dept. of Admn.
Connecticut	Executive Budget Officer, Budget & Finance Div., Off. of Policy & Mgt.	Off. of Fiscal Analysis	Off. of Policy & Mgt.
Delaware	Director, Off. of the Budget	Off. of Controller General, Legislative Council	Dept. of Finance
Florida	Director, Off. of Planning & Budgeting, Off. of the Governor	Senate, House Appropriations Cmtes.	Finance Div., Dept. of Banking & Finance
Georgia	Director, Off. of Planning & Budget	Legislative Budget Analyst, Legislative Budget Off.	Fiscal Div., Dept. of Administrative Services
Hawaii	Director, Dept. of Budget & Finance	Senate Ways & Means Cmte.; House Finance Cmte.	Dept. of Budget & Finance
Idaho	Administrator, Div. of Financial Mgt., Off. of the Governor	Legislative Budget Off.	Div. of Financial Mgt., Off. of the Governor
Illinois	Director, Bur. of the Budget, Off. of the Governor	Economic & Fiscal Comm.; Senate, House Appropriations Cmtes.	Dept. of Revenue; Bur. of the Budget, Off. of the Governor
Indiana	Director, Budget Agcy.	Off. of Fiscal & Mgt. Analysis, Legislative Services Agcy.	Budget Agcy.
Iowa	Director, Dept. of Mgt.	Legislative Fiscal Bur.	Dept. of Mgt.
Kansas	Director, Div. of the Budget., Dept. of Admn.	Fiscal Analyst, Legislative Research Dept.	Div. of the Budget, Dept. of Admn.
Kentucky	State Budget Director, Governor's Off. for Policy & Mgt.	Budget Review Off., Program Review & Evaluation Cmte.; Legislative Research Comm.	Finance & Admn. Cabinet
Louisiana	Budget Director, Div. of Admn., Office of the Governor	Legislative Fiscal Off.; Fiscal Services, Senate Research Services	Div. of Admn.
Maine	State Budget Officer, Bur. of the Budget, Dept. of Finance & Admn.	Off. of Fiscal & Program Review, Legislative Council	Dept. of Finance
Maryland	Secretary, Dept. of Budget & Fiscal Planning	Div. of Budget Review; Div. of Fiscal Research, Dept. of Fiscal Services	Dept. of Budget & Fiscal Planning
Massachusetts	Budget Director, Executive Off. for Admn. & Finance	Senate, House Ways & Means Cmtes.	Executive Off. for Admn. & Finance
Michigan	Director, Dept. of Mgt. & Budget	Senate, House Fiscal Agencies	Dept. of Mgt. & Budget
Minnesota	Commissioner, Dept. of Finance	Legislative Coordinating Comm.	Dept. of Finance
Mississippi	Executive Director, Dept. of Finance & Admn.	Jt. Legislative Budget Off.	Dept. of Finance & Mgt.
Missouri	Commissioner, Off. of Admn.	Oversight Div.; Cmte. on Legislative Research	Office of Admn.
Montana	Director, Budget & Program Planning Off.	Off. of Legislative Fiscal Analyst	Budget & Program Planning Off.

BUDGET OFFICIALS OR AGENCIES—Continued

State or other jurisdiction	*Official/agency responsible for preparing budget document*	*Special budget review agency in legislative branch*	*Agency(ies) responsible for budgetary and related accounting controls*
Nebraska	Budget Administrator, Budget Div., Administrative Services Dept.	Legislative Fiscal Off.	Budget Div., Administrative Services Dept.; Auditor of Public Accounts; Dept. of Revenue
Nevada	Director, Budget Div., Dept. of Admn.	Fiscal Analyst Div., Legislative Counsel Bur.	Controller
New Hampshire	Commissioner, Administrative Services Dept.; Budget Officer	Legislative Budget Assistant's Off.	Administrative Services Dept.
New Jersey	Director, Off. of Mgt. & Budget	Legislative Budget & Finance Off.; Central Mgt. Unit., Off. of Legislative Services	Treasury Dept.
New Mexico	Director, Budget Div., Dept. of Finance & Admn.	Legislative Finance Cmte.; Legislative Council Service	Dept. of Finance & Admn.
New York	Director, Div. of Budget, Executive Dept.	Senate Finance Cmte.; Assembly Ways & Means Cmte.; Jt. Legislative Comm. on Expenditure Review	Off. of the State Comptroller
North Carolina	Executive Assistant, Off. of State Budget	Fiscal Research Div., Legislative Services Off.	Off. of State Budget
North Dakota	Executive Budget Analyst; Director, Off. of Mgt. & Budget	Legislative Budget Analyst & Auditor, Legislative Council	Off. of Mgt. & Budget
Ohio	Director, Off. of Budget & Mgt.	Legislative Budget Off.	Off. of Budget & Mgt.
Oklahoma	Director, Off. of State Finance	House of Rep., Fiscal Div.; Appropriations Coordinator, Senate Fiscal Staff	Off. of State Finance
Oregon	Administrator, Budget & Mgt. Div., Executive Dept.	Legislative Fiscal Off.	Budget & Mgt. Div., Executive Dept.
Pennsylvania	Secretary, Off. of Budget, Off. of the Governor	Senate, House Appropriations Cmtes.; Legislative Budget & Finance Cmte.	Off. of the Budget, Off. of the Governor
Rhode Island	Deputy Director, Dept. of Admn.	Senate, House Fiscal Advisory Staffs	Dept. of Admn.
South Carolina	Director, Budget Div., Budget & Control Bd.	State Auditor	Budget & Control Bd.
South Dakota	Commissioner, Bur. of Finance & Mgt.	Legislative Research Council	Bur. of Finance & Mgt.
Tennessee	Commissioner, Budget Div., Dept. of Finance & Admn.	Fiscal Review Cmte.	Dept. of Finance & Admn.
Texas	Director, Governor's Off. of Budget & Planning	Legislative Budget Bd.	Public Accounts
Utah	Director, Off. of Planning & Budget	Off. of Legislative Fiscal Analyst	Div. of Finance, Administrative Services Dept.
Vermont	Commissioner, Dept. of Finance & Mgt.	Jt. Fiscal Cmte.	Dept. of Finance & Mgt., Agency of Admn.
Virginia	Director, Dept. of Planning & Budget	Senate Finance Cmte.; House Appropriations Cmte.	Secretary of Finance, Governor's Cabinet
Washington	Director, Off. of Financial Mgt.	Legislative Auditor	Off. of Financial Mgt.
West Virginia	Director, Budget Div., Dept. of Finance & Admn.	Off. of Legislative Auditor	Dept. of Finance & Admn.
Wisconsin	Administrator, State Executive Budget & Planning, Dept. of Admn.	Legislative Fiscal Bur.	Finance & Program Mgt., Dept. of Admn.
Wyoming	Administrator, Budget Div.	Legislative Services Off.	Off. of State Auditor
Dist. of Columbia	Director, Off. of the Budget	Accounting Unit, Off. of the Secretary of Council	Financial Mgt.
American Samoa	Director, Program Planning & Budget Development	Legislative Fiscal Off.	Dept. of Treasury
Guam	Director, Bur. of Budget & Mgt. Research	Ways & Means Cmte.	Dept. of Admn.

BUDGET OFFICIALS OR AGENCIES—Continued

State or other jurisdiction	*Official/agency responsible for preparing budget document*	*Special budget review agency in legislative branch*	*Agency(ies) responsible for budgetary and related accounting controls*
No. Mariana Islands	Planning & Budget, Off. of the Governor	Senate Fiscal Affairs Cmte.; House Ways & Means Cmte.	Finance & Accounting Dept.
Puerto Rico	Director, Off. of Budget & Mgt.	Off. of Legislative Services; Senate Budget Off.; House Budget & Finance Off.	Off. of Budget & Mgt.
U.S. Virgin Islands	Director, Off. of Mgt. & Budget	Post Audit Div.	Dept. of Finance

Sources: The Council of State Governments, *State Legislative Leadership, Committees and Staff: 1991-92* and *State Administrative Officials Classified by Function: 1991-92.*

Table 6.3
STATE BALANCED BUDGETS: CONSTITUTIONAL AND STATUTORY PROVISIONS GUBERNATORIAL AND LEGISLATIVE AUTHORITY

	Constitutional and Statutory Provisions				*Gubernatorial Authority*			*Legislative Authority*		
State	*Governor must submit a balanced budget*	*Legislature must pass a balanced budget*	*Governor must sign a balanced budget*	*May carry over deficit*	*Governor has line item veto*	*Can reduce budget without legislative approval*	*Restrictions on budget reductions*	*Votes required to override gubernatorial veto*	*Votes required to pass revenue increase*	*Votes required to pass budget*
Alabama	C,S	C,S	C,S	...	★	★	ATB	Majority elected	Majority	Majority
Alaska	S	S	...	★	★	★	...	3/4 elected (a)	Majority elected	Majority elected
Arizona	C	C	C	★ (b)	★	★	(c)	2/3 elected	1/2 elected	1/2 elected
Arkansas	S	S	S	...	★	...	ATB,MR	Majority elected	3/4 elected	3/4 elected
California	C	...	...	★	★	...	★	2/3 elected	2/3 elected	2/3 elected
Colorado	...	C	C	...	★	★	...	2/3 elected	Majority present	Majority present
Connecticut	S	S	...	...	★	★	MR	2/3 elected	Majority present (d)	Majority present (d)
Delaware	C	C	C	...	★	★ (e)	★	3/5 elected	3/5 elected	Majority elected
Florida	S	C	S	...	★	★ (f)	...	2/3 elected	Majority	Majority
Georgia	C	C	C	...	★	★	ATB	2/3 elected	Majority	Majority
Hawaii	C,S	...	C,S	...	★	★	...	2/3 elected	Majority elected	Majority elected (g)
Idaho	C	C	...	...	★	★	...	2/3 elected	Majority	Majority
Illinois	C	C	...	...	★	...	...	3/5 elected	Majority elected	3/5 elected
Indiana	C	C	C	...	...	★	...	Majority	Majority	Majority
Iowa	C	C	...	...	★	★	ATB	2/3 elected	Majority	Majority
Kansas	C	C	C	...	★	★	MR (h)	2/3 elected	Majority elected	Majority
Kentucky	C,S	C	C	...	★	...	★	2/3 elected	Majority elected	Majority present
Louisana	C,S	S	C,S	★	★	★	MR	2/3 present	2/3 elected	1/2 elected
Maine	S	C	S	...	...	...	ATB (i)	2/3 present	Majority elected	(j)
Maryland	C	C	...	...	...	★	...	(k)	Majority	Majority
Massachusetts	C	C	C	★	★	★	...	2/3 present	Majority	Majority (l)
Michigan	C	C	C	...	★	...	...	2/3 elected	Majority elected	Majority elected
Minnesota	S	S	...	...	★	★	MR	2/3 elected	Majority elected	Majority elected
Mississippi	S	S	S	...	★	★	MR	2/3 elected	2/3 elected	Majority
Missouri	C	...	C	...	★	★	...	2/3 elected	Majority elected	Majority elected
Montana	C	C	...	...	★	★ (m)	MR	2/3 elected	Majority	Majority
Nebraska	C	...	...	...	★	...	...	3/5 elected	Majority	3/5 elected
Nevada	S	C	...	...	...	★	...	2/3 elected	Majority	Majority
New Hampshire	S	...	...	★	...	...	★	2/3 elected	Majority	Majority present
New Jersey	C	C	C	...	★	★ (n)	...	2/3 elected	Majority	Majority
New Mexico	C	...	...	...	★	★ (o)	...	2/3 present	Majority	Majority
New York	C	...	(p)	★	★	★ (q)	(q)	2/3 elected	Majority	Majority
North Carolina	C	C	...	...	...	★	...	...	Majority	Majority
North Dakota	S	S	S	...	★	★	ATB	2/3 elected	Majority (r)	Majority (r)
Ohio	(s)	(s)	...	...	★	★	...	3/5 elected	Majority elected	Majority elected
Oklahoma	C,S	C	C	...	★	★	ATB	2/3 elected (t)	Majority	Majority (t)
Oregon	C	C	C	...	...	★	(u)	2/3 elected	Majority	Majority
Pennsylvania	C,S	...	C	★ (v)	★	★	...	2/3 elected	Majority elected	Majority elected
Rhode Island	C	C	S	...	...	★	...	3/5 elected	Majority	Majority
South Carolina	(w)	C	C	...	★	★	ATB	2/3 present	Majority	Majority
South Dakota	C	C	C	...	★	★	...	2/3 elected	2/3 elected	Majority elected
Tennessee	C	C	C	...	★	★	...	Majority elected	Majority elected	Majority elected
Texas	...	C	C	...	★	★	...	2/3 elected	Majority	Majority elected
Utah	S	C	S	...	★	★	ATB	2/3 elected	Majority	Majority
Vermont	...	...	...	★	...	★	(x)	2/3 present	Majority	Majority

See footnotes at end of table.

STATE BALANCED BUDGETS—Continued

	Constitutional and Statutory Provisions				*Gubernatorial Authority*			*Legislative Authority*		
State	*Governor must submit a balanced budget*	*Legislature must pass a balanced budget*	*Governor must sign a balanced budget*	*May carry over deficit*	*Governor has line item veto*	*Can reduce budget without legislative approval*	*Restrictions on budget reductions*	*Votes required to override gubernatorial veto*	*Votes required to pass revenue increase*	*Votes required to pass budget*
Virginia	S	. . .	. . .	(y)	*	*	MR (z)	2/3 present	Majority elected	Majority elected
Washington	S	. . .	. . .	. . .	*	*	ATB	2/3 elected	51%	51%
West Virginia	. . .	C	C	. . .	*	* (aa)	ATB (aa)	2/3 elected	Majority	Majority
Wisconsin	C	C	C	. . .	*	. . .	. . .	2/3 present	Majority present	Majority present
Wyoming	C	C	C	. . .	*	*	. . .	2/3 elected	Majority	Majority

Source: National Association of State Budget Officers, *Budgetary Processes in the States* (July 1989); updated April 1982 by The Council of State Governments. Update reflects literal reading of state constitutions and statutes.

Key: C - Constitutional
S - Statutory
ATB - Across the board
MR - Maximum reduction dictated
* - Yes
. . . - No

(a) Joint session.

(b) May carry over "casual deficits," i.e., not anticipated.

(c) Governor may reduce budgets of administration-appointed agencies only.

(d) Must have quorum.

(e) Budget reductions are limited to executive branch only.

(f) The Governor and elected cabinet may reduce the budget. The reductions must be reported to the legislature and advice as to proposed reductions may be offered.

(g) If general fund expenditure ceiling is exceeded, 2/3 vote required; otherwise majority of elected members.

(h) Reductions allowed only to get back to a balanced budget.

(i) Governor may expend funds up to one year. Certain restrictions apply to ATB reductions.

(j) For emergency enactment, 2/3 votes required.

(k) Governor has no veto power over the budget bill, but vote of 3/5 elected required to override veto on other bills.

(l) For capital budget, 2/3 votes required.

(m) May reduce appropriations by 15 percent except debt service, legislative and judicial branch appropriations, school foundation programs, and salaries of elected officials.

(n) May not reduce debt service.

(o) May reduce budget of agencies under Governor's control only.

(p) Technically, the Governor is not required to sign a balanced budget, however, in order to consummate the spring borrowing the Governor must certify that the budget is in balance.

(q) May reduce budget without approval only for state operations; only restriction on reductions is that reductions in aid to localities cannot be made without legislative approval.

(r) Emergency measures and measures that amend a statute that has been referred or enacted through an initiated measure within the last seven years must pass both houses by a 2/3 majority.

(s) There is no constitutional or statutory requirement that the Governor submit or the legislature enact a balanced budget. There is a constitutional requirement that the legislature provide sufficient revenues to meet state expenses. The Governor is required by statute to examine monthly the relationship between appropriations and estimated revenues and to reduce expenditures to prevent imbalance.

(t) Emergency measures require a 3/4 majority for override. Budget bills usually require Emergency Clauses and therefore require 2/3 vote for passage.

(u) Governor recommends a biennial budget that is subject to legislative approval.

(v) May carry over deficit into subsequent year only.

(w) Formal budget submitted by Budget and Control Board, not Governor.

(x) May not change legislative intent when reducing budget.

(y) The Constitution specifies that expenditures shall not exceed revenues at the end of the biennial period.

(z) The Governor has power to withhold allotments of appropriations, but cannot reduce legislative appropriations.

(aa) May reduce spending authority.

Table 6.4
ALLOWABLE STATE INVESTMENTS

State or other jurisdiction	Certificates of deposits (in state)	Certificates of deposits (nationally)	Other time deposits	Bankers acceptances	Commercial paper	Corporate notes/bonds	State and local government obligations	U.S. Treasury obligations	U.S. agency obligations	Eurodollars (CDs or TDs)	Repurchase agreements
Alabama	★	★	★	. . .	★	★	. . .	★	★	. . .	★
Alaska	★	★	★	★	★	★	★	★	★	★	★
Arizona	★	★	★	★	★	★	★	★	★	. . .	★
Arkansas	★	. . .	★	. . .	. . .	. . .	★	★	. . .	. . .	★
California	★	★	★	★	★	★	★ (a)	★	★	. . .	★
Colorado	★	. . .	. . .	★	★	★	★	★	★	. . .	★
Connecticut	★	★	. . .	★	★	★	★	★	★	. . .	★
Delaware	★	★	★	★	★	★	★	★	★	★	★
Florida	★	. . .	★	★	★	★	★	★	★	. . .	★
Georgia	★	. . .	. . .	. . .	. . .	. . .	. . .	★	★	. . .	★
Hawaii	★	★	. . .	. . .	. . .	. . .	★	★	★	. . .	★
Idaho	★	. . .	. . .	★	★	. . .	★	★	★	. . .	★
Illinois	★	★	★	. . .	★	. . .	★	★	★	. . .	★
Indiana	★	. . .	★	. . .	. . .	. . .	. . .	★	★	. . .	★
Iowa	★	. . .	★	★	★	★	★	★	★	. . .	★
Kansas	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	★
Kentucky	★	★	★	★	★	. . .	★	★	★	. . .	★
Louisiana	★	★ (b)	. . .	. . .	. . .	. . .	★ (c)	★	★	. . .	★
Maine	★	. . .	★	★	★	. . .	. . .	★	★	. . .	★
Maryland	★	. . .	★	★	. . .	. . .	★ (c)	★	★	. . .	★
Massachusetts	★	★	★	★	★	★	★	★	★	★	★
Michigan	★	★	★	★	★	★	★	★	★	★	★
Minnesota	★	★	★	★	★	★	★	★	★	. . .	★
Mississippi	★	. . .	. . .	. . .	. . .	. . .	. . .	★	★	. . .	★
Missouri	★	. . .	. . .	. . .	. . .	. . .	. . .	★	★	. . .	★
Montana	★	★	★	★	★	★	★	★	★	★	★
Nebraska	★	. . .	★	. . .	★	. . .	★	★	★	. . .	★
Nevada	★	★	★	★	★	★	★	★	★	. . .	★
New Hampshire	★	. . .	★	★	★	★	★	★	★	. . .	★
New Jersey	★	★	★	★	★	★	★	★	★	★	★
New Mexico	★	. . .	. . .	. . .	. . .	. . .	. . .	★	★	. . .	★
New York	★	. . .	. . .	★	★	. . .	★	★	★	. . .	★
North Carolina	★	. . .	★	★	★	★	★	★	★	. . .	★
North Dakota	★ (d)	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Ohio	★	. . .	. . .	★	★	. . .	. . .	★	★	. . .	★
Oklahoma	★	. . .	. . .	★	★	. . .	★	★	★	. . .	★
Oregon	★	. . .	★	★	★	★	★	★	★	★	★
Pennsylvania	★	. . .	★	★	★	. . .	★	★	★	. . .	★
Rhode Island	★	★	★	★	★	★	★	★	★	★	★
South Carolina	★	. . .	. . .	. . .	. . .	★ (e)	★	★	★	. . .	★
South Dakota	★	★	. . .	★	★	★	★	★	★	. . .	★
Tennessee	★	. . .	. . .	★	★	. . .	★	★	★	. . .	★
Texas	★	. . .	★	★	★	. . .	. . .	★	★	. . .	★
Utah	★	★	★	★	★	★	★	★	★	★	★
Vermont	★	. . .	. . .	. . .	★	★	. . .	★	. . .	. . .	. . .

See footnotes at end of table.

ALLOWABLE STATE INVESTMENTS—Continued

State or other jurisdiction	*Certificates of deposits (in state)*	*Certificates of deposits (nationally)*	*Other time deposits*	*Bankers acceptances*	*Commercial paper*	*Corporate notes/bonds*	*State and local government obligations*	*U.S. Treasury obligations*	*U.S. agency obligations*	*Eurodollars (CDs or TDs)*	*Repurchase agreements*
Virginia	★	...	...	★	★	★	★	★	★	...	★
Washington	★	...	...	★	★	...	★	★	★	...	★
West Virginia	★	...	★	...	★	★	...	★	★	...	★
Wisconsin	★	★	★	★	★	★	★	★	★	★	★
Wyoming	★	...	★	★	★	★	★	★	★	...	★
Dist. of Columbia	★	★	...	...	...	...	...	★	★	...	★
Puerto Rico	★	...	...	...	...	...	★	★	...	...	...
U.S. Virgin Islands	★	...	...	★	★	★	★	★	★	...	...

Source: National Association of State Treasurers and The Council of State Governments' survey, March 1992.

Key:

★ — Investment allowed

. . . — Investment not allowed

(a) State government obligations only.

(b) Only in national banks domiciled in Louisiana.

(c) To a limited extent.

(d) Investment of state's general and special funds must be only in the state's wholly owned Bank of North Dakota.

(e) Must be rated AA or better by two leading rating agencies.

Table 6.5
FUNDS UNDER JURISDICTION OF STATE TREASURERS

State or other jurisdiction	All funds except retirement	State employee retirement	Legislative retirement	Superior court retirement	Teacher retirement	State agency	Construction	Federal revenue sharing	Gasoline	General/ operating/ working capital	Highway	Insurance	Revenue bond	School	Other funds
Alabama	. . .	. . .	. . .	. . .	. . .	★	★	★	★	★	★	★	★	★	(a)
Alaska	All funds														
Arizona	★														
Arkansas	★ (b)														
California	All funds														
Colorado	★														
Connecticut	. . .	★	★	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Delaware	★														
Florida	★														
Georgia	. . .	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .	★	. . .	★	. . .	. . .	. . .
Hawaii	★	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .	★	. . .	★	★	. . .	. . .
Idaho	All funds (c)														
Illinois	★														
Indiana	All funds														
Iowa	. . .	. . .	. . .	. . .	. . .	★	. . .	★	. . .	. . .	★	. . .	★	★	. . .
Kansas	★														
Kentucky	All funds (d)														
Louisiana	. . .	. . .	. . .	. . .	. . .	. . .	★	★	★	★	★	★	. . .	. . .	(e)
Maine	. . .	. . .	. . .	. . .	. . .	. . .	★	★	★	★	★	★	. . .	★	(a,e)
Maryland	★														
Massachusetts	All funds														
Michigan	All funds														
Minnesota	All funds														
Mississippi	. . .	. . .	. . .	. . .	. . .	★	★	★	★	★	★	★	★	★	(a)
Missouri	★														
Montana	All funds														
Nebraska	All funds														
Nevada	. . .	. . .	. . .	. . .	. . .	★	★	★	★	★	★	. . .	★	★	(a,f)
New Hampshire	★														
New Jersey	All funds														
New Mexico	All funds														
New York	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .	★	. . .	. . .	(f)
North Carolina	All funds														
North Dakota	. . .	★	. . .	★ (g)	★ (g)	★	★	★	★	★	★	★	. . .	★	(f)
Ohio	All funds (h)														
Oklahoma	★														
Oregon	All funds														
Pennsylvania	. . .	★	. . .	. . .	★	★	★	. . .	. . .	★	★	★	. . .	. . .	(e,f)
Rhode Island	. . .	★	★	. . .	★	★ (i)	★	. . .	★	★	★	. . .	★	★	(a,e)
South Carolina	. . .	★	★	★	★	★	★	. . .	★	★	★	. . .	★	. . .	. . .
South Dakota	All funds (j)														
Tennessee	. . .	★	★	★	★	★	★	★	★	★	★	★	★	★ (k)	(a,e,f)
Texas	All funds (l)														
Utah	★ (m)														
Vermont	. . .	★	★	★	★	★	★	★	. . .	★	. . .	. . .	. . .	. . .	. . .

See footnotes at end of table.

FUNDS UNDER JURISDICTION OF STATE TREASURERS—Continued

State or other jurisdiction	*All funds except retirement*	*State employee retirement*	*Legislative retirement*	*Superior court retirement*	*Teacher retirement*	*State agency*	*Construction*	*Federal revenue sharing*	*Gasoline*	*General/ operating/ working capital*	*Highway*	*Insurance*	*Revenue bond*	*School*	*Other funds*
Virginia	. . .	★	★	★	★	★	★	★	★	★	★	★	★	. . .	(e,f)
Washington (n)	. . .	. . .	. . .	. . .	. . .	★	★	★	★	★	★	. . .	. . .	. . .	(a,e,f)
West Virginia	All funds														
Wisconsin	All funds (o)														
Wyoming	. . .	★	. . .	★	★	★	★	★	. . .	★	★	. . .	★	★	(f)
Dist. of Columbia	★														
Puerto Rico	. . .	★	★	★	★	★	★	★	★	★	. . .	★	. . .	★	(e,f)
U.S. Virgin Islands	★														

Source: National Association of State Treasurers and The Council of State Governments' survey, March 1992.

Key:

★ — Under treasurer's jurisdiction

. . . — Not under treasurer's jurisdiction

(a) Water pollution control.

(b) Custodial responsibilities only.

(c) The funds pass through the state treasurer's office.

(d) For deposit, disbursement and accounting purposes.

(e) Lottery.

(f) Compensation.

(g) As a member of the State Investment Board.

(h) The state treasurer accepts deposits from all state agencies, collects various revenues and taxes and is responsible for their investment. All others are custodial accounts.

(i) Some state agencies.

(j) As a member of the Investment Council.

(k) Except higher eduction operating funds.

(l) All state agency funds must be deposited in the treasury unless statutorily excluded. The retirement systems have their own investment authority. The treasury invests only the cash balances of these funds.

(m) Except state housing finance agency, State Technology Finance Corporation, 451 plans, and state workers' compensation funds.

(n) Custodial responsibilities for all funds. Investment responsibilities for funds indicated.

(o) All investments are made by the Wisconsin Investment Board in cooperation with the state's working bank.

Table 6.6
CASH MANAGEMENT PROGRAMS AND SERVICES

State or other jurisdiction	Reviews of cash management programs				Agency preparing cash management services					
	Banking relations		Investment practices							
	Reviewing agency/ frequency (in years)	Agency implementing any changes	Reviewing agency/ frequency (in years)	Agency implementing any changes	Lock boxes	Wire transfers	Zero balance accounts	Information systems	Account reconciliation services	Automated clearinghouse
Alabama	(a)	(a)	(a)	(a)	★	★	★	★	. . .	★
Alaska	IH/1	IH	OF/every mo.	IH,OF	IH	IH	OF	IH,OF	IH	OF
Arizona	IH/3	IH	IH/1	IH	. . .	IH	IH	IH	OF	OF
Arkansas	IH/1	IH	IH/1	IH	. . .	★	. . .	★	. . .	★
California	IH/1	IH	IH/every mo.	IH	OF	IH,OF	OF	IH,OF	IH,OF	OF
Colorado	IH/6	IH	IH (b)	IH	★	★	★	★	. . .	★
Connecticut	IH	IH	N.A.	N.A.	OF	IH,OF	OF	IH,OF	IH,OF	IH,OF
Delaware	IH/3	IH	IH	IH	IH	IH	IH	IH	IH	IH
Florida	IH/4	IH	OF/1	IH	OF	OF	. . .	IH	. . .	OF
Georgia	IH/as needed	IH	IH/as needed	IH	★	★	★	★	★	★
Hawaii	IH/1 (c)	IH	IH/1 (c)	IH	. . .	IH	. . .	IH	IH	OF
Idaho	IH/1	IH	IH/1	IH	. . .	OF	OF	IH	IH	OF
Illinois	IH,OF/2-3	IH	IH (b)	IH	IH	IH	. . .	IH,OF	IH	OF
Indiana	IH (b)	IH	IH (b)	IH	OF	OF	OF	IH	IH	OF
Iowa	IH/4	IH	IH/1	IH	OF	IH	IH	IH	IH	IH
Kansas	IH/2	IH	IH (d)	IH	OF	IH,OF	IH	. . .	IH	IH,OF
Kentucky	IH/2	IH	IH/1	IH	. . .	OF	OF	IH	IH	OF
Louisiana	IH/3	IH	IH/1	IH	. . .	OF	OF	OF	OF	IH
Maine	IH/2	IH	IH/2	IH	★	★	. . .	. . .	. . .	★
Maryland	OF (e)	IH	IH/1	IH	OF	(f)	OF	IH	IH	IH
Massachusetts	IH/1	IH	IH/1	IH	OF	OF	OF	IH	IH	OF
Michigan	IH/1 (g)	IH	N.A.	N.A.	OF	OF	OF	IH	IH	OF
Minnesota	IH/3	IH	IH/daily	IH	IH	IH	IH	OF	IH	IH
Mississippi	IH/1	IH	IH/1	IH	. . .	IH	. . .	OF	IH	OF
Missouri	IH/1	IH,OF	IH/1	IH	IH,OF	IH,OF	IH,OF	IH,OF	IH,OF	IH,OF
Montana	IH/1	IH	IH/1	IH	. . .	IH	. . .	. . .	. . .	IH
Nebraska	IH/4	IH	IH/5-10	IH	. . .	IH	. . .	. . .	. . .	IH,OF
Nevada	IH/2	IH,OF	IH,OF/1	IH	★	★	★	★	★	★
New Hampshire	IH/1	IH	IH/1	IH	. . .	IH	IH	IH	OF	OF
New Jersey	IH/1	IH	IH (b)	IH	IH,OF	OF	IH,OF	IH	IH,OF	IH,OF
New Mexico	IH/3	IH	IH/3 mos.	IH	OF	IH	IH	OF,IH	IH	OF
New York	IH (b)	IH	IH,OF/1	IH,OF	IH,OF	OF	IH,OF	IH,OF	IH,OF	IH,OF
North Carolina	IH/3 mos.	IH	IH/3 mos.	IH	. . .	IH	. . .	IH	IH	IH
North Dakota	(h)	(h)	IH/1 mo.	IH	. . .	IH	IH	IH	IH	IH
Ohio	(i)/2	(i)	IH/6 mos.	IH	IH	IH	OF	IH,OF	IH,OF	OF
Oklahoma	IH/1	IH	IH/1	IH	IH	IH	IH	IH	IH	OF
Oregon	IH/2	IH	IH/2	IH	. . .	IH	IH	IH	IH	IH
Pennsylvania	IH,OF/6 mos.	IH	IH,OF/6 mos.	IH	★	★	★	★	★	★
Rhode Island	IH,OF (b)	IH	IH,OF (b)	IH	IH	IH,OF	IH	IH,OF	IH,OF	IH,OF
South Carolina	IH/1	IH	IH/1	IH	OF	IH	OF	IH,OF	IH,OF	IH,OF
South Dakota	IH/3	IH	OF/1	IH	IH	IH	. . .	IH	IH	OF
Tennessee	IH (b)	IH	IH (b)	IH	IH,OF	IH,OF	OF	IH	IH	IH,OF
Texas	IH (b)	IH	IH (b)	IH	OF	IH,OF	OF	OF	IH	OF
Utah	IH/1	IH	IH/1	IH	OF	IH	OF	IH	OF	OF
Vermont	OF/1-2	IH	OF/1-2	IH	IH	IH	IH	. . .	IH	OF

See footnotes at end of table.

CASH MANAGEMENT PROGRAMS AND SERVICES—Continued

	Reviews of cash management programs				*Agency preparing cash management services*					
	Banking relations		*Investment practices*							
State or other jurisdiction	*Reviewing agency/ frequency (in years)*	*Agency implementing any changes*	*Reviewing agency/ frequency (in years)*	*Agency implementing any changes*	*Lock boxes*	*Wire transfers*	*Zero balance accounts*	*Information systems*	*Account reconciliation services*	*Automated clearinghouse*
Virginia	IH (b)	IH	IH (b)	IH	IH	IH	IH	IH	IH	IH
Washington	IH/2	IH	IH/2	IH	IH	IH	IH	IH	IH	IH
West Virginia	OF/1	OF	OF/1	OF	OF	OF	OF	. . .	OF	OF
Wisconsin	IH/6	IH	(j)/every mo.	(j)	IH	IH	IH	IH	IH	IH
Wyoming	IH/1	IH	(k)	IH	. . .	★	★	★	. . .	. . .
Dist. of Columbia	IH/2	IH	IH/2	IH	★	★	★	★	★	★
Puerto Rico	IH/as needed	IH	IH/as needed	IH	. . .	. . .	IH	. . .	. . .	. . .
U.S. Virgin Islands	(a)	(a)	(a)	(a)	. . .	. . .	IH	OF	IH	. . .

Source: National Association of State Treasurers and The Council of State Governments' survey, March 1992.

Key:

IH — Within the treasurer's office
OF — Outside firm
★ — Service utilized; agency preparing service not specified
. . . — Service not utilized
N.A. — Not applicable

(a) No formal reviews of banking relations or investment practices.
(b) Reviews are an ongoing process.
(c) Occasionally, an outside firm is hired to conduct the reviews.
(d) Under proposed legislation, reviews would be conducted annually.
(e) Frequency of reviews depends on the contract period.
(f) Domestic: IH; Foreign: OF.
(g) An informal process.
(h) All banking must be done with state's wholly owned Bank of North Dakota.
(i) State Board of Deposit.
(j) Investment Board.
(k) Legislative Service Office.

STATE GOVERNMENT FINANCES, 1990

By Henry S. Wulf

Introduction

The finances of state governments, as with large business corporations, are tied closely to prevailing economic conditions.[1] The extended recession that began in 1990 created great fiscal stress for all levels of government and produced, once again, a strong climate for re-examining the roles played by every level — federal, state and local. State governments play several roles in this intergovernmental fiscal system, including creator and financier of local government services; conduit and re-distributor of federal funds; and direct provider of important services such as hospitals, highways and corrections.

States are significant economic entities, as demonstrated by a study comparing state government financial activity with *Fortune* magazine's ranking of the 500 largest industrial corporations. California, the largest state, would rank fifth, between IBM and General Electric, while New York would be eighth, between Mobil and Chrysler. South Dakota, with the least state financial activity, would rank 355th, ahead of such corporations as Champion Spark Plug, Fairchild Industries and Dr. Pepper/Seven Up.[2]

This discussion of state finances covers revenue, expenditure, indebtedness and cash and securities. The concluding section discusses financial issues in state governments.

This analysis uses information from the U.S. Bureau of the Census surveys of state and local government finances, and compares 1990 data and with that of 1989 and previous years.[3]

Bench marks for comparison are the period from 1985 to 1990 and the decades of the 1970s and 1980s. The analysis uses an average annual percentage change to represent longer time periods.

Summary of State Finances

Total state government revenue amounted to $625 billion in 1990, an increase of 6.6 percent over 1989.[4] Recent year-to-year percentage increases in total revenues have fluctuated considerably: 1986 to 1987, +7.3 percent; 1987 to 1988, +4.9 percent; and 1988 to 1989, +8.4 percent. The major revenue sources and their share of total revenues were: taxes (48 percent), funds from the federal government (19 percent), insurance trust revenue (16 percent) and current charges (7 percent).

Expenditures in 1990 totaled $572 billion. The 8.9 percent expenditure rise from 1989 to 1990 was sharply higher than the revenue increase of 6.6 percent. By contrast, from 1988 to 1989 revenues rose 8.4 percent, while expenditures were up 8.3 percent. Of every 10 dollars states expended, three went to local governments, thereby underlining the states' role as a financial resource for their subordinate governments. Education and public welfare outlays together comprised more than one-half of all state expenditures, accounting for 32.3 percent and 18.4 percent, respectively. Highways was the next most financially significant activity with 7.7 percent.

State government indebtedness amounted to $318 billion at the end of 1990. This aspect of state finances, however, does not have nearly the significance of the local or federal government debt burdens. The state government total, for example, was less than 60 percent of the local government total ($542 billion) and not even 10 percent of the federal amount ($3.3 trillion).

Cash and investment holdings totaled $990 billion in 1990. However, the states dedicated

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most of this money to specific purposes, such as redemption of long-term debt and employee retirement programs. In fact, only one of every eight of these dollars was uncommitted. States held the single largest portion of these assets, $592 billion, in state employee retirement trust systems, making this accumulation of funds a major source of investment capital.

State Government Revenue

The detail of Table A shows considerable variation in the year-to-year changes among state revenue sources. The three major revenues comprise about 84 percent of the total — taxes (48.5 percent), revenue from the federal government (18.4 percent) and insurance trust revenue (16.7 percent). They show very different growth rates from 1989 to 1990, however. Taxes were within one percent of the overall revenue growth rate, but federal revenue was 2.7 percent above, and insurance trust revenue, 2.9 percent below.

Table A

Sources of State Revenue and Change from 1989 to 1990

	Percent change 1989 to 1990	*Percent of total revenue*
Current charges	10.9	6.6
Revenue from federal government	9.3	18.4
Miscellaneous general revenue	8.8	7.5
TOTAL REVENUE	**6.6**	**100.0**
Revenue from local governments	6.2	1.3
Taxes	5.7	48.5
Liquor stores	4.3	0.5
Insurance trust revenue	3.7	16.7
Utility revenue	1.8	0.6

Source: U.S. Department of Commerce, Bureau of the Census.

Overall, what most influenced these three major revenues? Taxes seemed to be reflecting economic conditions. For example, the corporation net income taxes and documentary and stock transfer taxes, two taxes that react fairly quickly to business cycles, declined about 9 and 7 percent respectively from 1989 to 1990.

The primary driving force for revenue from the federal government was in the public welfare category, which increased more than 14 percent. The two best known public welfare programs are Aid to Families with Dependent Children (AFDC) and Medicaid. Without the public welfare money, revenue from the federal government rose only about 5 percent.

The most significant drag on insurance trust income was tied closely to the economy, unemployment compensation trust revenues. This source showed a 6 percent reduction from 1989. Contributions to state unemployment compensation systems, the state unemployment compensation tax, decreased in two-thirds of the states.

The three largest sources of tax revenue — general sales, individual income and corporate income taxes — contributed $99.7, $96.1 and $21.3 billion respectively to the tax total of $300 billion. The trends for these major revenue sources, shown in Table B, reflect some of the current state financial problems. They all have lower rates of increase than in 1989, with preliminary 1991 estimates showing some of the lowest year-to-year growth rates in the past three decades for each category.

Table B

Growth Rates for Major Tax Sources

Year	*General sales*	*Individual income*	*Corporate net income*
1987 to 1988	+9.9	+5.1	+5.5
1988 to 1989	+7.4	+10.8	+10.4
1989 to 1990	+6.6	+8.2	-8.9
1990 to 1991	+3.4	+3.5	-3.8

Source: U.S. Department of Commerce, Bureau of the Cenus.
Note: 1991 data are preliminary estimates.

Current charges present an interesting point for analyzing changes in the structure of state revenues. This aspect of government finance at all levels has been a focus of discussion because of two hot and related topics concerning the proper role of government — privatization and pay-for-service. In state governments, there are two key areas, current charges for education (primarily tuition from public post-secondary education institutions) and state hospitals. Slightly more than three out of every four dollars received by states in current charges derives from these two sources.

How do the growth rates of state current charges compare with other revenues? From

1985 to 1990, the average annual rate of change was 9.2 percent, with the lowest being 6.4 percent from 1986 to 1987. Total revenues for states had an average annual rate of change equal to 7.5 percent, 1.7 percent below current charges over the same period. The current charges, then, although still accounting for only 6.8 percent of total revenues, are growing considerably more rapidly than other revenue sources.

The future portends perhaps an even greater reliance on current charges. Medical costs in general continue their rapid rise and states view increased fees as one way of maintaining this service. This is a sensitive issue, however, because the state facilities generally serve a higher proportion of clients who do not have the ability to pay. Post-secondary education tuition cost provides another example. A recent analysis indicated that states are increasing tuition considerably in the face of potential loss of state support for higher education.[5]

Federal revenues to state governments has been the subject of considerable discussion within the larger federalism question of the proper split of financial responsibilities. In 1980, for example, federal funds accounted for 22 percent of all state revenues. This included $2.3 billion from the federal General Revenue Sharing program.[6] Federal funds accounted for less than 19 percent of total state revenues in 1990.

From 1980 to 1990, while state receipts other than federal revenues were growing at an average annual rate of 9.1 percent, federal revenues were rising at the much lower rate of 6.7 percent. This 6.7 percent figure is buoyed, however, by an average annual rise in federal revenues for public welfare of 9.2 percent over the decade. The annual increase without the public welfare was only 4.7 percent. This mirrors the figures cited above for changes between 1989 and 1990.

These data show that, except in the area of public welfare, federal government support for state government programs weakened considerably relative to the financial burdens states imposed on themselves. This trend should be viewed, however, within the much broader context of sorting out responsibilities in the American federal system.

State Government Expenditure

As the 1990s began, state government expenditures appeared to be resuming the higher patterns of growth that marked the early 1980s. The growth rate overall from 1989 to 1990 was 9.0 percent, considerably higher than the average annual rise the preceding four years of 7.7 percent. From 1980 to 1985 the annual rate was 8.7 percent.

Which expenditures drove this total? As Table C shows, two types of expenditures, insurance benefits and repayments (+15.8 percent) and current operations other than salaries and wages (+13.1 percent) exceeded the average growth considerably. At the other end of this ranking, intergovernmental expenditures, interest on debt and capital outlay all showed increases below 6 percent.

Table C

State Expenditures by Character and Object

	1989 to 1990	*Average 1985 to 1990*	*1990 percent of total expenditure*
Insurance benefits and repayments	15.8	7.4	9.5
Current operation other than salaries and wages	13.1	9.0	27.4
Assistance and subsidies	9.6	5.6	3.0
TOTAL EXPENDITURE	**9.0**	**7.9**	**100.0**
Salaries and wages	7.3	7.5	17.7
Intergovernmental expenditure	5.8	7.6	30.6
Interest on debt	5.7	7.5	3.9
Capital outlay	5.6	8.2	8.0

Source: U.S. Department of Commerce, Bureau of the Census.

The two largest contributors to the total, current operations other than salaries and wages and intergovernmental expenditure, show an interesting divergence to the pattern of the past five years. Current operations other than salaries and wages increased more than 4 percentage points over their five-year average, while intergovernmental expenditures was nearly 2 percentage points below. If this trend continues, local governments will find it increasingly difficult to obtain state funding. Intergovernmental payments to local governments would be squeezed out by the states' direct obligations and services. Probably the most significant changes in this equation are the increases in public welfare expenditures for vendor and cash assistance payments that amount to about 44 percent of the current operations other than salaries and wages category.

The annual growth in capital outlays from 1989 to 1990 (5.6 percent) was the lowest since 1983. It was consistent, however, with the 6 percent change over the previous year, from 1988 to 1989. This has implications for both economic growth and infrastructure development, especially as it relates to highways. Highways account for nearly three out of every five dollars states spend on capital outlay. Any economic stimulus that might be provided by capital projects will certainly be muted if this comparatively slow rise in state capital outlays continues.

One factor that might create an increase in capital expenditures by the states is the considerable drop in bond interest rates that occurred during 1991. States will struggle to balance their precarious financial position with the attractive opportunities to borrow money at considerably lower costs to finance needed infrastructure improvements.

Functionally, two areas continue to dominate state expenditures, education and public welfare. Respectively, they comprised 32 and 18 percent of all state government spending in 1990. Adding them to the four next most significant activities — expenditures for insurance trust programs (9.5 percent), highways (7.7 percent), hospitals (4.0 percent) and interest on general debt (3.8 percent) — reveals that these six functions accounted for three out of every four dollars in state expenditures.

Education outlays rose to $184 billion, an increase of 6.6 percent over 1989, below the average annual rise over the past five years of 7.5 percent. The primary thrust of education expenditures is in intergovernmental payments to local governments ($109 billion), predominately in support of elementary and secondary education programs, and direct payments for higher education programs ($61 billion).

The annual increase in the intergovernmental payment category was only 4.4 percent compared with an average annual increase of 7.9 percent from 1985 to 1990. With numerous states involved in court cases and discussions concerning equalizing elementary and secondary education expenditures, there is potential for dramatic increases in these types of state payments.

Though the states could see a considerable rise in elementary and secondary education spending, there is some indication that state expenditures for higher education might slow considerably. These payments for higher education increased on average 6.9 percent from 1985 to 1990, 8.9 percent from 1989 to 1990. As the full impact of the economic slowdown hits the states, however, many states might try to close the revenue-expenditure gap in higher education by increasing tuition charges and holding down expenditures.[7]

The other major trend in state expenditures is the remarkable rise in welfare expenditures, fueled to a considerable extent by Medicaid costs. From 1985 to 1990, public welfare expenditures grew at an average annual rate of 9.3 percent. As a share of total state expenditures, public welfare increased from 17.2 percent in 1985 to 18.4 percent from 1985 to 1990. Some accounts indicate, however, that states are trying to restrain growth severely in this area. For example, one report revealed that 40 states have frozen or cut benefits in the Aid to Families with Dependent Children program and that half have cut state general assistance welfare programs.[8] One state has almost eliminated its general assistance program. Balanced against these cuts, however, are continuing increases in Medicaid costs.[9] The net result appears to be that public welfare will continue to increase as a share of state expenditures.

Since the growth in these two major functional expenditures shows little sign of abating, states have put severe restrictions on other expenditures. Corrections provides an example. From 1985 to 1990, corrections spending rose an average of 13.5 percent annually, increasing 15 percent from 1989 to 1990 alone. This growth might be reduced considerably because states are resorting to less expensive alternatives in the face of their budget difficulties, including doubling up prisoners in existing facilities, reducing prison terms and using alternative sentencing practices. One report noted that three completed prisons in Michigan will remain empty for many months; that state's prison population, which grew by 4,000 in 1989, increased by only 21 inmates in 1991.[10]

State Government Indebtedness

State government indebtedness at the end of fiscal year 1990 totaled $318.3 billion, up 7.7 percent over the prior year. States have the smallest debt burden by far among the three levels of government in the United States. Total federal, state and local government debt was $4.1 trillion in fiscal 1990 — 79.1 percent belonging to the federal government, 13.1 percent to local governments and 7.7 percent to states.

The trend in the growth of state indebtedness has moderated considerably from the major increases that occurred from 1980 to 1986. Table D shows the changes in state indebtedness during the 1980s.

Table D

Changes in State Government Indebtedness, 1980 to 1990

Year	*Percent change*	*Year*	*Percent change*
1989 to 1990	7.7	1984 to 1985	13.7
1988 to 1989	6.8	1983 to 1984	11.4
1987 to 1988	4.2	1982 to 1983	13.4
1986 to 1987	7.2	1981 to 1982	9.4
1985 to 1986	16.9	1980 to 1981	10.6
Average annual percent change 1986 to 1990	6.5	Average annual percent change 1980 to 1986	12.5

Source: U.S. Department of Commerce, Bureau of the Census.

Three major factors will influence the future direction of state indebtedness: interest rates, financial condition and the need to finance infrastructure, in particular highways. Interest rates, now at their lowest point in the past two decades, make borrowing attractive. However, the extended budget problems of the states — resulting in lowered credit ratings for some — likely will make them cautious about taking on much more debt. The increase in capital expenditures by the states from 1989 to 1990 was the lowest since 1983. States might have delayed capital expenditures waiting for more propitious opportunities such as lower interest rates.

Evidence suggests that state indebtedness will grow much more rapidly. In calendar year 1991, state and local government debt issues were the second highest since 1986, which was a record year. A considerable amount of the debt issues in 1991 were refinancings, but there also were a large number of new issues. This surge continued into calendar 1992. The states are participating in this bond market increase, but the increases are not likely to reach the levels of 1980 to 1986 because of budgetary constraints.

State Government Cash and Investments

State government cash and investments amounted to nearly $1 trillion in fiscal year 1990, including: $592 billion in employee retirement trust funds; $190 billion in funds held as offsets to long-term debt; and $207 billion in miscellaneous insurance trust funds, bond funds and others.

Only 12 percent of these funds is available for financing general government activities. About three-fifths is dedicated for employee retirement, nearly one-fifth for redemption of long-term debt, about 6 percent for insurance trust purposes such as unemployment or workers' compensation, and 2 percent as unspent proceeds of bond issues.

The remaining funds, $127 billion at the end of fiscal year 1990, are in the states' general accounts and specialized accounting reserves such as "rainy day funds." A large portion of this 12 percent is encumbered by state constitutions or laws that severely restrict the states' access to these moneys. Two major specially restricted funds are the Texas Permanent School Fund and the Alaska Permanent Fund.

The growth in these funds reflects general economic conditions. The increase from fiscal 1989 to 1990 was 12.4 percent, exhibiting the positive financial climate prior to the current recession. The increases in 1991 and for the foreseeable future should be considerably lower.

This, in turn, might further increase financial pressure on the states. For example, state retirement systems have only three sources of funds: investment earnings, state contributions and employee contributions. If states rely on investment earnings to maintain the long-term financial stability of their employee retirement systems, they will need to increase their contributions or ask the employees to pay more should the earnings falter.

Issues in State Finances

The primary issue for states is how they will cope with the effects of the current recession. A report on the 1992 fiscal outlook noted a bleak scenario:

> *A weak economic outlook, tax revenues below expectations, expenditures above budgets, and a lack of reserves suggest that 1992 will see a replay of the very difficult budget sessions of 1991. Recessions are bad times to raise taxes or to cut expenditures; either course can slow economic recovery. But states are likely to see lots of both for 1992, for lack of alternatives.*[11]

Even an improvement in overall economic conditions will leave the states with considerable problems, at least through fiscal year 1993.[12]

As if the economic conditions were not posing enough problems, states are confronted with serious issues in their two largest areas of responsibilities, education and welfare. In public welfare, there is the continuing problem of rapidly increasing Medicaid costs. In education, there are two major concerns: the national impetus to improve education, as signified by the America 2000 program promulgated by the federal government; and the spate of court cases over the issue of equalizing elementary and secondary education resources.

The confluence of these occurrences could push the states into considering a significant restructuring of their responsibilities in the federal system. Discussions about issues such as privatization, performance measurement, equity and pay-for-service are likely to intensify under the stringent fiscal constraints and societal pressures under which states find themselves.

Additional Data Sources

In addition to specific references cited in the footnotes, readers can obtain basic current and historical data from Census Bureau publications. These include the annual *State Government Finances in (Year)*, and *Government Finances in (Year)*. Historical data on this topic are available from the Census of Governments publication *Historical Statistics on Government Finances and Employment*. Data are also available in electronic form. Readers can contact the Governments Division, Bureau of the Census for additional information.

Notes

[1] For example, as private business and personal incomes change, so do the revenues that states derive from income taxes. As sales rise and fall, so does the income that states derive from general or selective sales taxes. In good times, fewer persons need social service and income maintenance programs. If economic conditions turn sour, there is an upsurge in the demand for these activities. As consumers of services, state governments' negotiating positions shift when land and construction prices fluctuate.

[2] Robert D. Behn, "The Fortune 500 and the 50 States: A Combined Ranking," Institute of Policy Sciences and Public Affairs, Duke University (February 1990).

[3] In this article, mention of particular years refers to state fiscal years. This is the year ending June 30 for all states except: New York (March 31), Texas (August 31), Alabama and Michigan (both September 30). Thus, a reference to 1990 means the state fiscal years ending June 30, 1990 for most states, March 31, 1990 for New York and so forth.

[4] The Census Bureau data are a statistical compilation of information, not an accounting balance sheet. The practical application of this is that total revenues nearly always exceed total expenditures, but this cannot be equated with a budget or accounting "surplus" or "deficit." The reasons for this are manifold, but has to do with varying treatments of items such as debt, capital expenditures, accruals and insurance trust system transactions.

[5] "Bad Times Force Universities to Rethink What They Are," *New York Times*, February 3, 1992.

[6] In 1983, the state government share of federal General Revenue Sharing was eliminated, leaving only local governments eligible. However, state governments passed through a considerable percentage of their portion to local governments. The full amount of these federal funds, then, was not available to the states. The aspect of this program that made it so valued among the states was the almost complete lack of spending restrictions and requirements.

[7] See for example, "The College of Hard Times," by Kathleen Sylvester in *Governing*, September 1991 and "Bad Times Force Universities to Rethink What They Are," *New York Times*, February 3, 1992.

[8] *The States and the Poor: How Budget Decisions in 1991 Affected Low Income People*, Center on Budget and Policy Priorities and Center for the Study of the States, December 1991.

[9] See "Why State Medicaid Costs Vary: A First Look," by Jane Sneddon Little, Federal Reserve Bank of Boston, August 1991.

[10] "Growth of U.S. Prison Population Sputters to Halt as States Can't Afford to House and Arrest Crooks," *Wall Street Journal*, February 3, 1992.

[11] "State Fiscal Outlook for 1992," *State Legislative Report*, Volume 17, No. 1 (January 1992), National Conference of State Legislatures.

[12] See *Looking for a Light at the End of the Tunnel: States Struggle with Another Difficult Budget Year*, National Association of State Budget Officers, January 1992.

Table 6.8
SUMMARY FINANCIAL AGGREGATES, BY STATE: 1989
(In millions of dollars)

State	*Revenue*				*Expenditure*				*Debt outstanding at end of fiscal year*	*Cash and security holdings at end of fiscal year*
	Total	*General*	*Utilities and liquor store*	*Insurance trust*	*Total*	*General*	*Utilities and liquor store*	*Insurance trust*		
United States	$586,931	$482,721	$6,035	$98,174	$525,077	$469,269	$8,813	$46,995	$295,500	$880,994
Alabama	8,278	6,918	138	1,222	7,401	6,755	126	520	4,078	12,744
Alaska	5,113	4,417	11	686	4,448	4,100	79	269	5,611	21,255
Arizona	7,578	6,214	16	1,347	7,157	6,520	32	605	2,069	12,337
Arkansas	4,300	3,771	0	529	3,840	3,567	0	274	1,767	6,202
California	81,708	64,449	161	17,098	72,583	65,003	5	7,575	26,207	115,247
Colorado	6,967	5,428	0	1,539	5,878	5,086	2	790	2,171	11,459
Connecticut	9,045	7,884	18	1,143	8,972	8,193	117	662	9,573	14,023
Delaware	2,257	2,032	4	221	1,929	1,802	20	107	2,831	4,674
Florida	22,160	19,289	5	2,866	19,977	18,941	33	1,004	8,967	29,325
Georgia	11,898	10,144	0	1,754	10,835	10,096	0	739	3,039	14,932
Hawaii	4,041	3,490	0	551	3,184	2,924	0	259	3,063	6,476
Idaho	2,219	1,804	35	380	1,858	1,653	28	176	834	2,917
Illinois	22,243	18,934	0	3,309	20,346	18,539	0	1,807	14,158	30,305
Indiana	10,733	9,850	0	884	9,668	9,219	0	449	3,587	11,290
Iowa	6,450	5,523	78	849	5,892	5,534	56	302	1,618	6,815
Kansas	4,630	4,043	0	586	4,206	3,846	0	360	344	4,592
Kentucky	8,063	6,938	0	1,126	7,401	6,820	4	577	5,136	10,832
Louisiana	9,558	8,378	0	1,180	8,734	7,813	0	920	12,160	14,814
Maine	3,164	2,772	73	319	2,837	2,572	50	215	2,032	3,995
Maryland	11,501	9,947	65	1,489	10,117	8,958	200	959	5,834	14,898
Massachusetts	16,047	14,782	48	1,217	17,320	16,077	66	1,177	16,218	17,263
Michigan	22,707	19,275	417	3,015	20,881	18,628	354	1,900	8,198	28,287
Minnesota	12,393	10,262	0	2,131	10,584	9,735	0	850	3,601	15,905
Mississippi	5,020	4,188	112	720	4,528	4,126	89	313	1,346	6,011
Missouri	8,703	7,433	0	1,270	7,738	7,204	0	533	4,893	14,395
Montana	2,087	1,627	35	426	1,880	1,590	30	259	1,347	3,771
Nebraska	2,864	2,678	0	186	2,559	2,493	0	65	1,411	3,233
Nevada	2,800	1,972	50	778	2,532	2,051	58	423	1,423	5,362
New Hampshire	1,840	1,492	179	169	1,851	1,613	144	94	2,946	4,004
New Jersey	21,869	17,459	334	4,076	20,812	17,879	813	2,119	17,393	37,486
New Mexico	4,598	3,932	0	666	3,962	3,690	0	272	1,896	10,165
New York	60,678	48,461	1,765	10,452	54,073	45,846	4,137	4,089	43,306	95,627
North Carolina	13,533	11,556	0	1,976	12,366	11,542	0	824	2,950	19,863
North Dakota	1,757	1,576	0	181	1,725	1,592	0	133	927	2,344
Ohio	27,471	18,655	322	8,494	22,975	18,423	288	4,264	10,513	58,796
Oklahoma	7,011	5,847	219	945	6,212	5,342	262	608	3,577	9,228
Oregon	6,767	5,443	144	1,180	5,686	4,972	90	624	6,737	17,351
Pennsylvania	25,744	20,955	612	4,177	22,987	20,027	596	2,364	10,540	33,096
Rhode Island	2,960	2,372	7	580	2,744	2,434	31	279	3,343	5,352
South Carolina	8,064	6,324	546	1,194	6,958	5,933	550	476	3,775	12,367
South Dakota	1,411	1,221	0	190	1,253	1,198	0	55	1,860	3,390
Tennessee	8,325	7,457	0	868	7,742	7,268	0	474	2,574	10,673
Texas	29,389	24,010	0	5,379	24,226	22,098	0	2,128	6,665	44,906
Utah	3,897	3,271	65	561	3,513	3,170	50	293	1,694	5,353
Vermont	1,530	1,349	29	152	1,434	1,354	27	53	1,108	1,872
Virginia	13,096	11,200	248	1,648	11,724	11,004	212	508	5,510	17,410
Washington	13,507	10,258	222	3,026	11,650	9,725	190	1,735	5,364	19,869
West Virginia	3,985	3,339	53	593	3,820	3,186	51	583	2,452	4,596
Wisconsin	13,132	10,496	0	2,636	10,514	9,706	0	808	5,931	19,221
Wyoming	1,843	1,608	26	209	1,566	1,422	23	121	926	4,666

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1989.*

Note: Detail may not add to totals due to rounding. Data presented are statistical in nature and do not represent an accounting statement. Therefore, a difference between an individual government's total revenues and expenditures does not necessarily indicate a budget surplus or deficit.

Table 6.9
SUMMARY FINANCIAL AGGREGATES, BY STATE: 1990
(In millions of dollars)

	Revenue				*Expenditure*					
State	*Total*	*General*	*Utilities and liquor store*	*Insurance trust*	*Total*	*General*	*Utilities and liquor store*	*Insurance trust*	*Debt outstanding at end of fiscal year*	*Cash and security holdings at end of fiscal year*
United States	$632,172	$517,429	$6,213	$108,530	$572,318	$508,284	$9,583	$54,452	$318,254	$963,342
Alabama	9,077	7,555	206	1,315	8,119	7,411	128	581	3,979	13,523
Alaska	5,547	4,842	13	692	4,688	4,284	114	289	5,546	21,757
Arizona	8,619	6,983	16	1,620	8,265	7,535	23	707	2,193	12,071
Arkansas	4,545	4,056	0	489	4,223	3,930	0	293	1,747	6,619
California	89,275	69,251	150	19,874	78,867	70,189	74	8,605	28,866	124,073
Colorado	7,614	5,783	0	1,831	6,510	5,627	1	882	2,422	12,530
Connecticut	9,621	8,636	18	966	9,886	8,880	120	886	10,988	14,882
Delaware	2,332	2,104	4	224	2,128	1,994	16	118	2,978	4,924
Florida	23,868	20,626	5	3,238	21,723	20,558	22	1,143	9,950	32,502
Georgia	13,197	11,190	0	2,007	12,213	11,393	0	820	3,117	16,703
Hawaii	4,363	3,842	0	521	3,832	3,547	0	285	3,396	8,222
Idaho	2,436	1,994	37	406	2,047	1,831	30	186	977	3,302
Illinois	24,568	20,840	0	3,728	22,072	20,055	0	2,017	15,262	33,630
Indiana	11,491	10,702	0	788	10,414	9,992	0	422	4,140	12,778
Iowa	6,748	5,829	78	841	6,317	5,935	56	326	1,875	7,712
Kansas	5,163	4,386	0	777	4,705	4,329	0	375	306	4,852
Kentucky	8,656	7,347	0	1,309	7,772	7,101	4	666	5,295	12,516
Louisiana	10,190	8,924	0	1,266	9,420	8,524	0	897	12,770	17,263
Maine	3,266	2,848	73	344	3,044	2,743	52	249	2,125	3,845
Maryland	12,306	10,445	68	1,793	11,299	9,836	311	1,153	6,644	16,544
Massachusetts	17,229	15,774	52	1,403	18,736	17,039	71	1,626	18,715	18,914
Michigan	23,411	19,708	426	3,278	23,098	19,561	363	3,173	9,170	27,120
Minnesota	13,236	10,991	0	2,245	11,355	10,407	0	949	3,764	17,524
Mississippi	5,411	4,523	112	776	4,838	4,394	90	354	1,343	6,880
Missouri	9,344	8,012	0	1,332	8,326	7,703	0	622	5,250	14,558
Montana	2,270	1,829	33	408	2,007	1,651	32	323	1,396	4,150
Nebraska	3,074	2,856	0	219	2,885	2,815	0	70	1,361	3,516
Nevada	3,268	2,270	55	943	2,929	2,366	60	503	1,573	5,810
New Hampshire	1,948	1,563	188	196	1,972	1,676	155	140	3,338	4,624
New Jersey	22,760	18,300	364	4,096	21,849	18,436	914	2,498	18,908	41,396
New Mexico	4,787	4,072	0	715	4,172	3,891	0	281	1,830	10,456
New York	64,360	52,441	1,779	10,140	59,139	49,697	4,529	4,912	46,547	100,604
North Carolina	14,625	12,345	0	2,280	13,493	12,555	0	937	3,071	21,955
North Dakota	1,819	1,629	0	190	1,755	1,587	0	168	872	2,415
Ohio	28,771	19,968	322	8,481	25,237	20,489	277	4,471	11,209	67,207
Oklahoma	7,223	5,977	220	1,026	6,515	5,612	274	628	3,714	9,880
Oregon	8,216	5,830	150	2,236	6,352	5,563	97	693	6,558	14,974
Pennsylvania	27,388	21,951	625	4,812	24,531	21,234	607	2,690	10,926	36,610
Rhode Island	3,062	2,484	7	571	3,014	2,658	25	331	3,616	5,447
South Carolina	8,852	6,930	555	1,367	7,910	6,775	573	562	3,894	13,506
South Dakota	1,507	1,310	0	197	1,344	1,281	0	62	1,787	3,342
Tennessee	9,183	7,988	0	1,195	8,403	7,879	0	524	2,618	11,546
Texas	31,237	25,959	0	5,277	26,027	23,630	0	2,398	7,864	51,797
Utah	4,313	3,530	66	717	3,857	3,471	49	337	1,790	6,200
Vermont	1,593	1,433	29	132	1,565	1,466	27	72	1,259	2,107
Virginia	13,609	11,630	251	1,727	12,632	11,850	215	566	6,083	18,441
Washington	15,095	11,496	231	3,368	13,567	11,389	196	1,982	5,686	25,248
West Virginia	4,458	3,814	53	591	4,212	3,530	51	630	2,477	4,602
Wisconsin	15,338	10,975	0	4,363	11,416	10,499	0	917	6,119	27,385
Wyoming	1,902	1,657	27	218	1,641	1,485	25	131	938	4,877

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1990.*

Note: Detail may not add to totals due to rounding. Data presented are statistical in nature and do not represent an accounting statement. Therefore, a difference between an individual government's total revenues and expenditures does not necessarily indicate a budget surplus or deficit.

Table 6.7
DEMAND DEPOSITS

State or other jurisdiction	Method for selecting depository: Competitive bid	By application	Negotiation	Depositor's convenience	Agency's convenience	Auditor approval of agency request	Selection of depository made by:	Compensation for demand depositories: Procedure used	Method for determining compensation	Collateralization required above the federal insurance level?	Percentage requiring collateralization
Alabama	. . .	★	. . .	★	★	. . .	Treasurer	CB	(a)	Yes	100
Alaska	★	. . .	. . .	. . .	. . .	. . .	Treasurer	CB	Competitive bid	Yes	100
Arizona	★	. . .	. . .	. . .	★	. . .	Treasurer, Board	CB	Competitive bid	Yes	102
Arkansas	. . .	. . .	★	. . .	. . .	. . .	Treasurer	CB	Annual negotiation	Yes	100
California	. . .	★	★	. . .	. . .	. . .	Treasurer	CB	Annual negotiation	Yes	100
Colorado	★	. . .	. . .	. . .	. . .	. . .	Treasurer	CB,FS,MB	Competitive bid	Yes	(b)
Connecticut	★	★	★	★	★	. . .	Treasurer	CB	Annual negotiation, competitive bid	Yes	Not available
Delaware	★	. . .	. . .	. . .	. . .	. . .	Board	FS	Competitive bid	No	Not available
Florida	★	. . .	. . .	. . .	. . .	. . .	Treasurer	CB	Competitive bid	Yes	25-200
Georgia	. . .	. . .	★	. . .	★	. . .	Board	CB	Negotiation	No	0
Hawaii	. . .	. . .	★	★	. . .	. . .	Dir. of Finance	FS	(c)	Yes	110
Idaho	. . .	★	. . .	. . .	. . .	. . .	Treasurer	FS	Annual negotiation, competitive bid	No	0
Illinois	. . .	. . .	★	. . .	. . .	. . .	Treasurer	CB (d)	Negotiation	Yes	100 (e)
Indiana	. . .	. . .	★ (f)	. . .	. . .	. . .	Treasurer	CB	Periodic review	No (g)	Not available
Iowa	★	. . .	. . .	. . .	. . .	. . .	Treasurer	FS (h)	Competitive bid (i)	Yes	100
Kansas	★	. . .	. . .	. . .	. . .	. . .	Board	CB	Competitive bid	Yes	100
Kentucky	★	. . .	★	★	. . .	. . .	(j)	FS	(k)	Yes	Not available
Louisiana	★	. . .	. . .	. . .	. . .	. . .	Treasurer	FS	Competitive bid	Yes	102
Maine	★	. . .	. . .	★	★	. . .	Treasurer	CB	Competitive bid	Yes	85
Maryland	★	. . .	. . .	. . .	. . .	. . .	Treasurer	FS	Competitive bid	Yes	102
Massachusetts	★	. . .	. . .	. . .	. . .	. . .	Treasurer	CB,FS	Competitive bid	No	0
Michigan	. . .	. . .	★	★	. . .	. . .	Treasurer	CB	Annual negotiation	Yes	100
Minnesota	★	. . .	. . .	. . .	. . .	. . .	(l)	CB,FS	Competitive bid	Yes	110
Mississippi	. . .	★	. . .	. . .	★	. . .	Treasurer	CB	Annual negotiation	Yes	105
Missouri	★	★	. . .	★	. . .	★	Treasurer	CB	Competitive bid (m)	Yes	100
Montana	★	. . .	★	. . .	. . .	. . .	Treasurer	CB	Annual negotiation, competitive bid	Yes	50
Nebraska	. . .	. . .	. . .	★	★	. . .	Treasurer	CB	(n)	Yes	110
Nevada	★	. . .	. . .	. . .	★	. . .	Treasurer (o)	CB,FS	Competitive bid	Yes	33
New Hampshire	. . .	. . .	★	. . .	. . .	. . .	Treasurer	CB	Annual negotiation	Yes (p)	100
New Jersey	★	. . .	. . .	★	. . .	. . .	Treasurer	CB,FS	Annual negotiation, competitive bid	Yes	120
New Mexico	. . .	★	. . .	. . .	. . .	. . .	Treasurer	CB,FS	Competitive bid	Yes	100
New York	★	. . .	★	★	★	. . .	Treasurer (q)	CB,FS	(r)	Yes	100
North Carolina	. . .	. . .	. . .	. . .	. . .	(s)	Treasurer	CB	(t)	Yes	100
North Dakota (u)	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	(v)	N.A.	N.A.	N.A.
Ohio	. . .	★	. . .	. . .	. . .	. . .	Board	CB,FS (w)	Annual negotiation (x)	Yes	100
Oklahoma	. . .	★	. . .	. . .	★	. . .	Treasurer	FS	(y)	Yes	10
Oregon	. . .	. . .	★	★	. . .	. . .	Treasurer (z)	FS	Competitive bid	Yes	25 or 110
Pennsylvania	. . .	★	. . .	. . .	. . .	. . .	(aa)	CB	(bb)	Yes	120
Rhode Island	★	★	★	. . .	. . .	. . .	Treasurer	CB	Annual negotiation, competitive bid	Yes	varies
South Carolina	. . .	. . .	★	. . .	★	. . .	Treasurer	CB	(cc)	Yes	110

See footnotes at end of table.

DEMAND DEPOSITS—Continued

	Method for selecting depository							*Compensation for demand depositories*			
State or other jurisdiction	*Competitive bid*	*By application*	*Negotiation*	*Depositor's convenience*	*Agency's convenience*	*Auditor approval of agency request*	*Selection of depository made by:*	*Procedure used*	*Method for determining compensation*	*Collateralization required above the federal insurance level?*	*Percentage requiring collateralization*
South Dakota	. . .	. . .	★	. . .	. . .	. . .	Treasurer	FS	Competitive bid	Yes	110
Tennessee	. . .	★	. . .	. . .	. . .	. . .	Treasurer (dd)	CB,FS	(ee)	Yes	100
Texas	. . .	★	. . .	. . .	. . .	. . .	Board	CB,FS	(ff)	Yes	100
Utah	. . .	. . .	★	★	. . .	. . .	Treasurer	CB,FS	Annual negotiation	No	0
Vermont	★	. . .	. . .	. . .	. . .	. . .	Treasurer	CB,FS	Competitive bid	Yes	100
Virginia	★	. . .	. . .	★	★	. . .	Treasurer	CB,FS	Annual negotiation, competitive bid	Yes	100 (e)
Washington	★	. . .	. . .	. . .	★	. . .	Treasurer (gg)	CB,FS	Annual negotiation, competitive bid	Yes	100 (gg)
West Virginia	★	. . .	★	. . .	. . .	. . .	Board	CB,FS	Annual negotiation	Yes	100 (e)
Wisconsin	★	. . .	. . .	. . .	. . .	. . .	(hh)	CB	Contract	No	N.A.
Wyoming	★ (ii)	. . .	. . .	. . .	. . .	. . .	(jj)	CB,FS	Competitive bid	Yes	100
Dist. of Columbia	★	. . .	. . .	. . .	. . .	. . .	Treasurer (kk)	CB	Competitive bid	Yes	102
Puerto Rico	. . .	. . .	★ (ll)	. . .	. . .	. . .	Treasurer	MB	Annual negotiation	Yes	100
U.S. Virgin Islands	. . .	. . .	★	. . .	★	. . .	(mm)	CB (nn)	N.A.	Yes	100

Source: National Association of State Treasurers and The Council of State Governments' survey, March 1992.

Key:

★ — Method utilized

. . . — Method not utilized

CB — Compensating balances

FS — Fee for service

MB — Minimum balance

N.A. — Not applicable

(a) Analysis of account.

(b) Any deposits over $100,000.

(c) Set by financial institution.

(d) Legislation pending on fee for service.

(e) Above the federal insurance level.

(f) Demand deposit accounts used only to clear state warrants and for compensation of banking services rendered.

(g) Indiana has a separate insurance fund for all public funds.

(h) Also, compensating C.D.

(i) Method is stated in the competitive bid.

(j) Finance Cabinet, Division of Purchases, by competitive bid. Treasurer, Secretary of Finance and selected officials then evaluate the bids.

(k) Competitive bid in the initial contract award; negotiation is used in two-year renewal intervals.

(l) Commissioner of Finance with approval by the Executive Council, which includes the Treasurer.

(m) Also, standard formula for all collection accounts.

(n) Initial balance subject to adjustment depending on profit or loss. The goal is for the account to neither lose nor gain revenue.

(o) The Board of Finance must approve the policy.

(p) Only in some cases.

(q) Also, deputy treasurer.

(r) Formula tied to commonly recognized and published benchmarks (usually three-month treasury bill).

(s) Treasurer's approval, not auditor.

(t) Calculation based on cost factors set by the treasurer.

(u) By constitution and state laws, all state funds must be deposited in the state's wholly owned Bank of North Dakota.

(v) Reduced interest rates on all of state treasurer's accounts.

(w) Also, 0% rate CD and security lending income.

(x) Unless a change is requested by the agency.

(y) Lowest comparable rate.

(z) Also, agency request.

(aa) Board of Finance Revenue chaired by the Treasurer.

(bb) Earnings credit rate set by Treasury.

(cc) Determined by the Treasurer.

(dd) Upon application, the Treasurer approves financial institutions with concurrence of the Commissioner of Finance and Administration and the Governor.

(ee) Normal and customary charges to similar clients.

(ff) Account analysis with fees based on those agreed to in clearing bank agreements.

(gg) Each agency is responsible for selecting an institution for its demand deposits with approval by the Public Deposit Protection Commission. The Commission then sets the collateralization requirements for the demand deposits in each institution.

(hh) Depository Selection Board, which consists of the Treasurer, Secretary of Administration and the Executive Director of the Investment Board.

(ii) With approval of the State Board of Deposits consisting of Treasurer, Governor and Secretary of State.

(jj) Treasurer for bid deposits and linked deposits; State Board of Deposits for other deposits.

(kk) Also, Deputy Mayor for Financial Management.

(ll) With the Government Development Bank for Puerto Rico (banking institution for government created by law).

(mm) Commissioner of Finance and the Governor.

(nn) No minimum.

Table 6.10
NATIONAL TOTALS OF STATE GOVERNMENT FINANCES FOR SELECTED YEARS: 1976-90

Item	Amount (in millions)										Percentage change 1989 to 1990	Percentage change 1988 to 1989	Per capita 1990	Per capita 1989
	1990	1989	1988	1987	1986	1984	1982	1980	1978	1976				
Revenue total	$625,473	$586,931	$541,786	$516,509	$481,174	$397,087	$330,898	$276,962	$225,011	$183,821	6.6	8.4	2,521.02	2,368.65
General revenue	517,443	482,721	445,498	419,054	393,476	330,740	275,111	233,592	189,099	152,118	7.2	8.4	2,085.60	1,947.83
Taxes total	300,489	284,413	264,080	246,501	228,054	196,795	162,07	137,075	113,261	89,256	5.7	7.7	1,211.14	1,147.02
Intergovernmental revenue	126,348	115,765	107,225	102,381	98,574	81,450	69,166	64,326	53,461	44,717	9.1	7.9	509.25	467.48
From federal government	118,353	108,235	100,461	95,463	92,666	76,140	66,026	61,892	50,200	42,013	9.3	7.7	477.03	437.08
Public welfare	59,397	51,934	47,908	44,969	41,802	35,423	31,510	24,680	20,007	16,867	14.4	8.4	239.40	209.72
Education	21,271	19,547	17,970	16,883	16,523	13,975	13,149	12,765	9,819	8,661	8.8	8.8	85.73	78.93
Highways	13,931	14,404	13,467	12,963	13,855	10,380	8,304	8,860	6,301	6,262	-3.3	7.0	56.15	58.17
General revenue sharing	(a)	(a)	(a)	(a)	(a)	(a)	(a)	2,278	2,255	2,102	0.0	0.0	(a)	(a)
Employment security aministration	3,013	2,968	2,896	2,794	2,790	2,606	2,352	2,050	1,887	1,658	1.5	2.5	12.14	11.99
Other	20,742	19,384	18,220	17,852	17,696	13,756	10,711	11,258	9,931	6,463	7.0	6.4	83.60	78.27
From local governments	7,995	7,530	6,763	6,918	5,908	5,310	3,139	2,434	3,261	2,704	6.2	11.3	32.22	30.41
Charges and miscellaneous revenue	90,607	82,543	74,193	70,173	66,848	52,495	43,338	32,190	22,377	18,145	9.8	11.9	365.20	333.33
Utility revenue (b)	3,305	3,248	3,030	2,964	2,907	2,638	2,085	1,304	962	0	1.8	7.2	13.32	13.12
Liquor stores revenue	2,907	2,788	2,767	2,812	2,807	2,759	2,854	2,765	2,388	2,196	4.3	0.8	11.72	11.26
Insurance trust revenue	101,817	98,174	90,491	91,678	81,984	60,950	50,848	39,301	32,562	29,508	3.7	8.5	410.38	496.45
Unemployment compensation	18,370	19,640	17,187	18,839	18,173	16,671	16,854	13,468	13,083	15,068	14.3	2.9	74.04	79.31
Employee retirement	72,185	67,964	63,556	64,405	56,820	38,564	29,035	21,146	16,026	12,171	6.2	6.9	290.95	274.45
Other	11,262	10,571	9,749	8,434	6,991	5,715	4,959	4,686	3,452	2,269	6.5	8.4	45.40	42.69
Debt outstanding at end of fiscal year, total	318,237	295,500	276,786	265,506	247,715	186,377	147,470	121,958	102,569	84,825	7.7	6.8	1,282.68	1,193.76
Long-term	315,473	293,251	275,448	263,898	246,109	183,208	143,702	119,821	99,671	78,814	7.6	6.5	1,271.54	1,184.68
Non-guaranteed	240,508	222,725	207,312	197,554	181,469	125,859	92,195	70,457	53,356	39,972	8.0	7.5	969.39	899.88
Full-faith and credit	74,965	70,526	68,136	66,344	64,640	57,349	51,507	49,364	46,316	38,842	6.3	3.2	302.15	284.80
Short-term	2,764	2,250	1,338	1,606	1,606	3,169	3,768	2,137	2,897	6,011	22.8	68.2	11.14	9.09
Net long-term	125,507	118,223	108,829	141,815	129,119	101,681	87,047	79,810	72,089	62,488	6.2	8.6	505.96	477.88
Full-faith and credit	63,475	59,482	54,154	51,168	50,212	46,976	39,766	39,357	39,147	33,708	6.7	9.4	255.84	240.20
Expenditure and debt redemption	591,785	546,254	505,824	476,047	439,793	361,810	317,482	263,494	208,533	184,511	8.3	8.0	2,385.24	2,205.89
Debt redemption	19,876	21,177	20,840	20,351	15,577	10,364	7,190	5,682	4,701	3,585	-6.1	1.6	80.11	85.52
Expenditure, total	571,909	525,077	484,984	455,696	424,216	351,446	310,292	257,812	203,832	180,926	8.3	8.9	2,305.13	2,120.37
General expenditure	507,875	469,269	432,157	403,939	380,346	309,684	269,490	228,223	179,802	153,690	8.2	8.6	2,047.03	1,895.00
Education	184,529	173,184	159,500	149,901	140,189	116,058	102,984	87,939	69,702	59,630	6.6	8.6	743.76	699.25
Intergovernmental expenditure	109,251	104,601	95,391	88,253	81,929	67,485	60,684	52,688	40,125	34,084	4.4	9.7	440.35	422.40
State institutions of higher education	60,978	55,988	52,410	50,710	47,928	40,016	34,296	27,927	23,259	19,707	8.9	6.8	245.78	276.95
Other	14,300	12,595	11,700	10,937	10,332	8,557	8,005	7,324	6,318	5,839	13.5	7.6	57.63	50.86
Public welfare	104,978	92,750	84,235	78,454	72,554	62,749	55,257	44,219	35,776	29,633	13.2	10.1	423.09	374.54
Intergovernmental expenditure	21,770	19,614	17,665	17,331	16,298	13,628	13,744	10,977	10,047	9,476	11.0	11.0	87.75	79.21
Cash assistance, categorical programs	10,672	9,923	9,803	9,590	9,277	8,297	7,337	6,831	5,712	5,203	7.5	1.2	43.01	40.07
Cash assistance, other	1,299	1,256	1,153	1,140	1,161	1,154	875	687	623	353	3.4	8.9	5.24	5.07
Other public welfare	71,230	61,956	55,614	50,393	45,817	39,670	33,301	25,725	19,393	14,601	14.9	11.4	287.09	250.18
Highways	44,249	42,694	40,681	38,273	36,661	28,937	25,131	25,044	18,479	18,100	3.6	4.9	178.35	172.41
Regular state highway facilities	34,121	33,039	31,509	29,713	28,598	21,971	19,078	19,652	13,970	14,223	3.3	4.9	137.53	133.42
State toll highway facilities	2,344	2,279	2,222	1,776	1,593	1,278	1,025	1,009	687	636	2.9	2.6	9.45	9.20
Intergovernmental expenditure	7,784	7,376	6,949	6,785	6,470	5,688	5,028	4,383	3,821	3,241	5.5	6.1	31.38	29.79
Health and hospitals	42,622	38,602	34,872	32,131	30,131	24,982	22,284	17,855	13,883	11,110	10.4	10.6	171.95	155.91
State hospitals and institutions for handicapped	22,445	21,206	19,489	17,862	16,962	15,068	13,681	11,015	8,979	7,572	5.8	8.8	90.46	85.63
Other	20,177	17,369	15,383 (R)	14,269	13,169	9,914	8,603	6,840	4,905	3,538	16.1	12.9	81.49	70.28
Natural resources	9,909	9,070	8,300	7,816	7,312	5,945	5,485	4,346	3,411	3,863	9.3	9.1	39.94	36.63
Corrections	17,266	15,018	13,303	11,704	10,771	7,732	5,889	4,449	3,275	2,480	15.0	12.9	69.59	60.64
Financial administration	8,616	7,672	6,969	6,459	5,855	4,517	3,735	3,031	2,482	1,955	12.3	10.1	34.73	30.98
General control	8,384	7,690	6,922	6,191	5,767	4,654	3,909	3,232	2,331	1,688	9.0	11.0	33.80	31.05
Employment security administration	3,003	2,937	2,842	2,741	2,697	2,546	2,278	2,001	1,757	1,570	2.2	3.3	12.11	11.86
Police	5,166	4,746	4,508	4,048	3,714	3,140	2,730	2,263	1,826	1,569	8.8	5.3	20.82	19.16

NATIONAL TOTALS OF STATE GOVERNMENT FINANCES—Continued

Item	*Amount (in millions)*										*Percentage change 1989 to 1990*	*Percentage change 1988 to 1989*	*Per capita 1990*	*Per capita 1989*
	1990	*1989*	*1988*	*1987*	*1986*	*1984*	*1982*	*1980*	*1978*	*1976*				
Interest	21,532	20,355	19,367	18,583	16,876	13,137	9,015	6,763	5,268	4,140	6.5	8.1	86.97	82.20
Veteran's services	152	146	134	129	122	99	64	61	54	64	4.1	9.0	.61	.59
Utility expenditure (b)	7,131	6,410	6,232	5,971	5,530	4,817	3,730	2,401	1,544	0	11.2	2.9	28.74	25.88
Liquor expenditure	2,452	2,403	2,378	2,470	2,418	2,313	2,408	2,206	1,991	1,781	2.0	1.1	9.88	9.71
Insurance trust expenditure	54,452	46,995	44,217	43,316	39,749	34,632	34,664	24,981	20,495	25,455	15.9	7.1	219.47	189.77
Unemployment compensation	16,423	12,791	13,024	15,174	14,821	13,987	18,027	12,006	10,672	17,780	28.4	-1.8	66.19	51.65
Employee retirement	29,562	26,966	24,196	22,189	19,878	16,467	13,133	10,257	7,811	6,045	9.6	11.4	119.15	108.90
Other	8,467	7,237	6,997	5,952	5,051	4,178	3,503	2,718	2,011	1,629	16.9	3.4	34.13	29.22
Total expenditure by character and object	571,909	525,077	484,984	455,696	424,216	351,446	310,292	257,812	203,832	180,926	8.9	9.3	2,305.13	2,120.37
Direct expenditure	396,813	359,661	333,322	314,270	292,249	243,073	211,549	173,307	136,545	123,069	10.3	8.0	1,599.39	1,452.02
Current operation	257,585	232,964	213,231	199,659	186,188	156,734	133,152	108,131	86,153	68,175	10.6	9.2	1,038.22	940.39
Capital outlay	45,508	43,121	40,666	37,209	34,550	25,583	23,466	23,325	16,064	18,009	5.5	6.0	183.42	174.13
Construction	34,788	33,612	31,421	28,174	26,557	19,671	19,560	19,736	13,260	15,285	3.5	7.0	140.21	135.73
Purchase of land and existing structures	3,471	2,715	3,081	2,594	2,177	1,816	1,316	1,345	1,171	1,274	27.8	-11.9	13.99	10.96
Equipment	7,250	6,795	6,164	6,440	5,816	4,096	2,590	2,243	1,633	1,450	6.7	10.2	29.22	27.44
Assistance and subsidies	16,902	15,421	15,000	14,705	14,162	12,386	10,867	9,818	8,341	7,290	9.6	2.8	68.12	62.27
Interest on debt	22,367	21,160	20,208	19,382	17,601	13,738	9,400	7,052	5,493	4,140	5.7	4.7	90.15	85.45
Insurance benefits and repayments	54,452	46,995	44,217	43,316	39,749	34,632	34,664	24,981	20,495	25,455	15.9	7.1	219.47	189.77
Intergovernmental expenditure	175,096	165,415	151,662	141,426	131,966	108,373	98,743	84,504	67,287	57,858	5.9	9.1	705.74	668.35
Cash and security holdings at end of fiscal year	989,909	880,994	783,357	694,943	610,975	443,366	338,274	273,047	212,107	157,210	12.4	12.5	3,989.91	3,557.63
Unemployment fund balance in U.S. Treasury	37,167	34,342	27,398	22,431	18,019	5,707	6,789	11,945	7,450	4,425	8.2	25.3	149.81	138.68
Cash and deposits	N.A.	N.A.	N.A.	N.A.	47,164	45,232	35,400	30,782	25,345	18,477	N.A.	N.A.	N.A.	N.A.
Securities	N.A.	N.A.	N.A.	607,658	534,481	392,427	296,084	230,320	179,312	134,308	N.A.	N.A.	N.A.	N.A.
Total by purpose:														
Insurance trust	654,446	563,182	483,149	443,168	377,152	274,378	211,493	166,656	124,371	94,679	16.2	16.6	2,637.80	2,274.24
Debt offsets	189,966	175,028	166,619	122,256	116,990	81,527	56,655	40,011	27,582	15,880	8.5	5.0	675.68	706.80
Other	145,497	142,784	133,589	130,400	116,833	87,461	70,126	66,381	60,154	46,651	1.9	6.8	595.43	576.59

Sources: U.S. Department of Commerce, Bureau of the Census, annual reports on *State Government Finances* and *Historical Statistics on Governmental Finances and Employment* (vol. 6, no. 4., of the 1977 *Census of Governments*).

Key:
(R) — Revised
N.A. — Not available

(a) State participation ended September 1980.
(b) Reported separately only since 1977, previously included with general revenue or general expenditure.

Table 6.11
STATE GENERAL REVENUE, BY SOURCE AND BY STATE: 1989
(In thousands of dollars)

State	*Total general revenue* (a)	*Taxes*								*Intergovernmental revenue*	*Charges and miscellaneous general revenue*
			Sales and gross receipts			*Licenses*					
		Total (b)	*Total* (b)	*General*	*Motor fuels*	*Total* (b)	*Motor vehicle*	*Individual income*	*Corporation net income*		
United States	$482,721,055	$284,412,634	$138,569,077	$93,489,922	$18,105,711	$17,702,540	$9,391,730	$88,817,680	$23,865,597	$115,765,232	$82,543,189
Alabama	6,917,814	3,662,563	1,916,314	982,170	287,012	296,931	122,316	1,063,321	215,817	1,816,961	1,438,290
Alaska	4,416,552	1,410,330	80,954	0	36,943	80,109	19,462	0	459,686	607,297	2,398,925
Arizona	6,214,251	4,060,582	2,470,297	1,841,918	336,894	260,957	197,255	913,344	200,027	1,192,246	961,423
Arkansas	3,770,875	2,172,464	1,179,715	797,345	218,913	162,884	99,610	681,935	111,671	1,031,261	567,150
California	64,448,754	41,213,784	16,205,198	12,732,257	1,308,036	1,761,806	1,088,601	15,815,364	5,062,844	14,774,851	8,460,119
Colorado	5,427,819	2,903,821	1,241,925	750,960	303,554	168,883	82,500	1,272,854	171,176	1,285,584	1,238,414
Connecticut	7,884,422	4,808,456	3,057,099	2,067,680	317,504	246,436	168,698	450,737	799,953	1,667,599	1,408,367
Delaware	2,031,559	1,130,196	158,817	0	62,833	329,958	23,475	427,396	155,400	312,758	588,605
Florida	19,288,967	12,455,553	9,878,661	7,637,957	752,013	770,546	427,461	0	725,364	3,626,033	3,207,381
Georgia	10,143,738	6,347,203	2,812,473	2,026,098	425,704	185,198	77,634	2,732,045	525,015	2,705,736	1,090,799
Hawaii	3,489,788	2,217,039	1,315,214	1,024,978	51,292	33,832	19,160	768,004	88,099	508,993	763,756
Idaho	1,803,530	1,035,025	521,382	346,636	105,175	93,036	55,743	346,674	71,621	488,690	279,815
Illinois	18,933,727	11,760,588	5,997,812	3,899,903	724,256	840,635	639,375	3,510,059	1,073,022	4,287,980	2,885,159
Indiana	9,849,648	5,902,572	3,390,994	2,580,664	557,084	219,277	174,540	1,944,900	282,022	2,111,652	1,835,424
Iowa	5,523,341	3,167,409	1,443,362	931,743	311,077	278,998	201,441	1,172,573	202,685	1,292,582	1,063,350
Kansas	4,043,362	2,496,343	1,159,738	806,230	171,113	138,607	80,769	844,369	198,305	894,014	653,005
Kentucky	6,937,758	4,072,935	1,872,719	1,045,201	356,217	244,360	127,365	1,111,707	310,803	1,722,779	1,142,044
Louisiana	8,378,394	3,969,193	2,069,706	1,306,293	375,219	401,715	77,795	676,843	344,584	2,109,462	2,299,739
Maine	2,772,083	1,590,423	774,754	517,068	127,149	96,364	54,676	571,263	96,333	671,238	510,422
Maryland	9,947,388	6,195,976	2,640,580	1,507,053	439,682	245,738	145,483	2,655,228	331,079	1,988,352	1,763,060
Massachusetts	14,781,754	9,118,183	3,027,564	2,083,944	306,871	308,785	190,016	4,286,689	1,189,321	3,204,153	2,459,418
Michigan	19,275,003	11,124,073	4,329,932	3,127,695	695,396	652,445	464,686	3,789,065	1,862,126	4,737,299	3,413,631
Minnesota	10,261,777	6,400,520	2,952,207	1,776,087	453,187	422,085	295,466	2,496,790	487,818	2,186,427	1,674,830
Mississippi	4,188,176	2,277,058	1,520,385	1,040,917	292,360	154,024	61,564	400,207	142,787	1,323,980	587,138
Missouri	7,432,769	4,685,374	2,365,602	1,765,638	349,576	346,359	194,114	1,688,344	243,226	1,635,406	1,111,989
Montana	1,626,622	727,969	179,330	0	107,035	80,410	32,070	265,538	56,140	536,424	362,229
Nebraska	2,677,849	1,449,994	781,194	490,812	173,288	101,561	51,886	474,100	80,624	638,026	589,829
Nevada	1,972,384	1,356,233	1,177,523	698,910	103,885	156,895	69,423	0	0	345,075	271,076
New Hampshire	1,492,175	613,232	268,582	0	87,978	86,156	48,259	36,255	152,005	397,981	480,962
New Jersey	17,458,814	10,501,352	5,330,708	3,155,955	422,616	656,704	343,232	2,896,266	1,309,625	3,468,749	3,488,713
New Mexico	3,932,091	1,892,961	1,077,544	800,580	141,053	126,634	99,313	349,239	76,542	794,683	1,244,447
New York	48,460,725	26,576,039	8,663,676	5,749,616	488,730	752,082	419,881	13,844,385	2,008,913	15,780,721	6,103,965
North Carolina	11,556,432	7,369,389	2,916,047	1,701,833	609,625	473,153	232,410	3,030,765	789,261	2,711,089	1,475,954
North Dakota	1,575,639	666,140	378,918	222,805	72,057	56,973	37,158	105,524	42,433	458,367	451,132
Ohio	18,654,913	10,807,392	5,400,602	3,424,885	812,682	787,769	378,554	3,809,492	730,510	4,415,097	3,432,424
Oklahoma	5,846,946	3,312,359	1,501,553	777,825	315,462	343,603	249,569	932,616	112,851	1,469,633	1,064,954
Oregon	5,442,564	2,586,262	363,268	0	210,117	292,535	176,837	1,725,324	157,816	1,521,754	1,334,548
Pennsylvania	20,955,175	12,692,593	6,368,268	4,085,875	737,608	1,284,556	429,317	3,058,526	1,169,237	5,041,982	3,220,600
Rhode Island	2,372,379	1,159,113	580,077	394,446	50,273	45,892	31,959	421,460	77,624	665,298	547,968
South Carolina	6,323,530	3,718,568	1,997,468	1,349,299	328,304	195,328	72,422	1,248,058	220,379	1,541,585	1,063,377

STATE GENERAL REVENUE, BY SOURCE AND BY STATE: 1989—Continued

		Taxes									
			Sales and gross receipts			Licenses					
State	*Total general revenue* (a)	*Total* (b)	*Total* (b)	*General*	*Motor fuels*	*Total* (b)	*Motor vehicle*	*Individual income*	*Corporation net income*	*Intergovernmental revenue*	*Charges and miscellaneous general revenue*
South Dakota	1,221,158	472,409	379,435	233,529	76,356	44,137	22,988	0	26,490	433,050	315,699
Tennessee	7,457,227	4,066,459	3,083,461	2,236,898	534,841	399,929	152,163	95,463	371,545	2,278,672	1,112,096
Texas	24,010,274	13,974,361	10,962,405	6,947,264	1,500,551	1,734,888	693,860	0	0	5,639,279	4,396,634
Utah	3,271,489	1,623,563	882,395	666,494	130,082	72,420	40,578	541,173	92,207	945,896	702,030
Vermont	1,349,367	634,459	309,904	132,936	43,896	48,825	33,411	213,337	38,310	383,137	331,771
Virginia	11,199,567	6,621,017	2,607,580	1,289,516	612,408	373,296	254,596	3,106,916	347,447	2,224,392	2,354,158
Washington	10,258,162	6,510,602	4,897,079	3,914,815	454,144	353,857	164,747	0	0	2,240,798	1,506,762
West Virginia	3,338,629	1,912,859	969,431	578,610	171,217	123,067	70,748	467,420	206,487	832,648	593,122
Wisconsin	10,495,827	6,407,675	2,902,667	1,888,070	517,670	310,188	155,421	2,576,112	448,367	2,310,078	1,778,074
Wyoming	1,607,868	581,971	206,558	152,514	38,773	61,714	41,723	0	0	507,485	518,412

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1989.*
Note: Detail may not add to totals due to rounding.

(a) Total general revenue equals total taxes plus intergovernmental revenue plus charges and miscellaneous revenue.
(b) Total includes other taxes not shown separately in this table.

Table 6.12
STATE GENERAL REVENUE, BY SOURCE AND BY STATE: 1990
(In thousands of dollars)

State	*Total general revenue* (a)	*Taxes*								*Intergovernmental revenue*	*Charges and miscellaneous general revenue*
			Sales and gross receipts			*Licenses*					
		Total (b)	*Total* (b)	*General*	*Motor fuels*	*Total* (b)	*Motor vehicle*	*Individual income*	*Corporation net income*		
United States	$517,429,481	$300,488,565	$147,069,349	$99,701,944	$19,379,238	$18,841,828	$9,847,862	$96,076,243	$21,751,119	$126,328,829	$90,612,087
Alabama	7,555,155	3,819,513	2,002,759	1,037,821	294,293	337,511	126,625	1,121,458	179,833	2,085,421	1,650,221
Alaska	4,841,947	1,546,441	90,904	0	41,500	75,504	20,147	0	185,140	627,665	2,667,841
Arizona	6,982,937	4,376,761	2,575,371	1,917,689	333,351	297,659	230,901	1,063,804	179,832	1,539,663	1,066,513
Arkansas	4,056,065	2,260,936	1,210,200	839,400	218,700	144,670	77,222	739,200	130,300	1,147,771	647,358
California	69,251,209	43,419,164	17,269,769	13,626,773	1,359,407	1,855,887	1,076,167	16,824,356	4,928,377	16,378,132	9,453,913
Colorado	5,783,297	3,069,428	1,336,600	825,275	324,765	214,871	109,250	1,341,695	123,357	1,392,111	1,321,758
Connecticut	8,636,450	5,268,014	3,474,743	2,443,398	308,276	285,269	174,739	610,438	679,726	1,757,015	1,611,421
Delaware	2,104,081	1,129,551	158,712	0	63,569	337,797	23,230	456,311	117,802	320,774	653,756
Florida	20,625,651	13,289,492	10,577,503	8,191,414	776,189	840,499	482,793	0	698,825	4,154,239	3,181,920
Georgia	11,189,773	7,078,197	3,453,785	2,638,664	441,052	194,538	79,482	2,867,914	478,218	2,932,376	1,179,200
Hawaii	3,841,823	2,334,797	1,484,118	1,176,687	53,203	36,413	20,009	695,097	94,750	614,925	892,101
Idaho	1,993,773	1,138,748	559,210	383,088	107,945	100,271	56,853	403,061	72,692	509,021	346,004
Illinois	20,839,749	12,890,512	6,468,302	4,076,915	916,406	834,056	611,654	4,288,408	939,149	4,592,032	3,357,205
Indiana	10,702,285	6,101,619	3,371,882	2,551,464	565,265	227,636	177,520	2,089,540	340,978	2,330,539	2,270,127
Iowa	5,828,862	3,313,094	1,471,464	943,565	334,285	301,777	216,909	1,271,689	199,558	1,359,404	1,156,364
Kansas	4,386,085	2,668,998	1,281,639	872,604	224,420	158,217	97,441	856,769	210,462	975,763	741,324
Kentucky	7,346,682	4,260,691	1,911,186	1,087,582	360,127	272,663	149,099	1,210,285	279,483	1,806,531	1,279,460
Louisiana	8,924,325	4,086,693	2,035,464	1,262,887	399,287	393,290	72,029	737,156	393,978	2,415,119	2,422,513
Maine	2,848,016	1,560,869	773,290	508,980	137,650	98,484	47,982	580.562	57,658	696,281	590,866
Maryland	10,444,537	6,450,139	2,712,026	1,571,866	449,731	237,200	146,591	2,864,409	292,552	2,188,240	1,806,158
Massachusetts	15,773,724	9,369,108	2,851,799	1,956,467	301,954	415,434	255,293	4,909,728	871,195	3,599,706	2,804,910
Michigan	19,707,692	11,343,403	4,414,223	3,187,651	739,712	674,269	479,479	3,927,004	1,815,601	4,687,802	3,676,487
Minnesota	10,991,402	6,819,254	2,965,764	1,869,521	461,339	459,874	319,051	2,876,636	481,854	2,390,613	1,781,535
Mississippi	4,523,134	2,395,876	1,568,582	1,088,620	308,101	146,256	61,410	430,391	119,985	1,504,793	622,465
Missouri	8,012,097	4,939,169	2,508,575	1,898,837	355,094	362,857	198,803	1,790,590	221,471	1,819,590	1,253,338
Montana	1,828,981	857,685	182,574	0	112,052	92,088	36,728	279,643	80,316	562,618	408,678
Nebraska	2,855,533	1,512,928	827,358	508,047	209,278	107,091	56,119	495,567	71,948	697,920	644,685
Nevada	2,270,261	1,583,282	1,356,644	802,007	112,094	163,452	67,300	0	0	380,669	306,310
New Hampshire	1,563,311	595,299	271,158	0	81,148	94,388	50,758	41,391	126,589	430,142	537,870
New Jersey	18,300,448	10,433,910	5,443,974	3,291,359	413,722	634,233	337,193	2,952,046	1,123,096	3,785,608	4,080,930
New Mexico	4,072,477	2,014,040	1,135,987	835,989	164,556	128,340	100,792	360,971	61,732	837,266	1,221,171
New York	52,441,281	28,614,593	9,368,008	6,002,896	543,548	918,160	539,017	15,289,156	1,885,429	17,136,255	6,690,433
North Carolina	12,345,208	7,864,737	3,192,321	1,772,911	793,490	485,763	223,638	3,390,390	612,388	2,888,432	1,592,039
North Dakota	1,628,660	677,112	380,497	230,973	67,007	60,230	38,336	105,687	46,762	462,270	489,278
Ohio	19,968,209	11,436,367	5,751,939	3,589,092	970,933	841,251	395,313	4,125,303	643,428	4,983,964	3,547,878
Oklahoma	5,977,475	3,476,859	1,540,705	844,475	330,960	362,550	266,136	1,000,883	95,920	1,386,656	1,113,960
Oregon	5,829,792	2,785,890	393,608	0	235,870	347,581	216,600	1,826,646	147,784	1,667,471	1,376,431
Pennsylvania	21,950,666	13,219,655	6,547,274	4,224,983	745,253	1,508,747	431,627	3,220,667	1,094,778	5,333,518	3,397,493
Rhode Island	2,484,422	1,233,305	644,509	397,426	72,997	56,091	39,951	426,583	68,828	710,809	540,308
South Carolina	6,930,265	3,934,383	2,136,604	1,447,851	358,234	207,693	76,987	1,380,180	150,926	1,818,158	1,177,724

STATE GENERAL REVENUE, BY SOURCE AND BY STATE: 1990—Continued

State	Total general revenue (a)	*Taxes*									Intergovernmental revenue	Charges and miscellaneous general revenue
			Sales and gross receipts			*Licenses*						
		Total (b)	Total (b)	General	Motor fuels	Total (b)	Motor vehicle	Individual income	Corporation net income			
South Dakota	1,309,724	500,093	402,651	249,691	80,182	43,576	19,904	0	30,714		457,400	352,231
Tennessee	7,987,822	4,245,024	3,268,457	2,343,908	630,090	429,511	150,945	102,954	332,036		2,520,103	1,222,695
Texas	25,959,258	14,716,513	11,845,836	7,625,401	1,515,453	1,651,675	713,023	0	0		6,535,438	4,707,307
Utah	3,529,884	1,767,991	915,027	707,114	132,475	73,996	41,664	646,830	94,167		1,002,463	759,430
Vermont	1,432,717	665,743	321,034	136,029	53,578	52,784	37,165	250,904	27,128		393,911	373,063
Virginia	11,630,288	6,600,489	2,643,757	1,353,076	621,914	367,860	246,870	3,082,187	306,170		2,290,478	2,739,321
Washington	11,495,916	7,423,096	5,564,180	4,470,930	483,546	391,071	173,027	0	0		2,301,561	1,771,259
West Virginia	3,814,029	2,229,745	1,192,642	764,523	208,625	123,705	74,184	516,858	221,642		948,277	636,007
Wisconsin	10,975,407	6,557,746	2,997,869	1,983,828	529,159	334,392	161,918	2,624,896	436,562		2,445,551	1,972,110
Wyoming	1,656,696	611,613	216,866	162,267	37,453	62,698	41,988	0	0		526,365	518,718

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1990.*
Note: Detail may not add to totals due to rounding.
(a) Total general revenue equals total taxes plus intergovernmental revenue plus charges and miscellaneous revenue.
(b) Total includes other taxes not shown separately in this table.

Table 6.13
STATE EXPENDITURE, BY CHARACTER AND OBJECT AND BY STATE: 1989
(In thousands of dollars)

		Direct expenditure									
				Capital outlay							
State	*Inter-governmental expenditure*	*Total*	*Current operation*	*Total*	*Construction*	*Land and existing structures*	*Equipment*	*Assistance and subsidies*	*Interest on debt*	*Insurance benefits and repayments*	*Exhibit: Total salaries and wages*
United States	$165,415,415	$359,661,315	$232,963,877	$43,121,446	$33,611,736	$2,714,616	$6,795,094	$15,420,690	$21,160,452	$46,994,850	$94,447,951
Alabama	2,026,162	5,374,844	3,835,559	667,697	508,405	14,130	145,162	169,926	181,343	520,319	1,802,514
Alaska	844,290	3,603,408	2,327,517	358,938	290,299	18,715	49,924	74,893	573,510	268,550	844,336
Arizona	2,334,029	4,823,270	3,015,304	854,355	605,982	161,728	86,645	180,075	168,117	605,419	1,139,252
Arkansas	1,124,888	2,715,445	1,966,479	247,721	171,284	22,739	53,698	101,141	126,447	273,657	826,705
California	33,438,779	39,144,305	26,688,545	2,566,906	1,834,143	237,373	495,390	446,058	1,867,485	7,575,311	9,547,698
Colorado	1,676,445	4,201,735	2,596,723	579,155	471,797	36,316	71,042	39,631	195,842	790,384	1,355,272
Connecticut	1,697,074	7,274,946	4,450,397	1,213,705	900,496	65,445	247,764	328,882	619,792	662,170	1,869,622
Delaware	327,552	1,601,701	1,018,707	223,921	158,475	31,567	33,879	45,200	206,730	107,143	487,577
Florida	6,891,921	13,085,453	8,728,140	2,041,179	1,420,975	292,802	327,402	644,468	668,057	1,003,609	4,003,786
Georgia	3,302,468	7,532,828	5,007,749	1,227,058	929,516	158,186	139,356	342,728	215,996	739,297	2,136,510
Hawaii	62,141	3,121,467	2,074,325	495,689	344,223	63,141	88,325	106,259	186,073	259,121	1,100,332
Idaho	520,479	1,337,620	807,282	263,435	215,523	14,549	33,363	29,714	60,720	176,469	336,849
Illinois	5,573,284	14,772,451	8,944,349	1,772,477	1,492,024	43,996	236,457	1,348,985	899,858	1,806,782	3,143,021
Indiana	3,291,629	6,376,470	4,677,478	890,297	638,454	42,486	209,357	125,695	233,730	449,270	1,751,749
Iowa	1,944,146	3,947,980	2,736,202	566,890	455,541	22,068	89,281	221,365	121,058	302,465	1,127,769
Kansas	1,181,921	3,024,167	2,079,220	399,422	294,649	7,600	97,173	159,045	26,411	360,069	1,000,752
Kentucky	1,797,563	5,603,341	3,581,833	935,030	789,868	23,300	121,862	192,818	317,032	576,628	1,463,002
Louisiana	2,109,343	6,624,303	3,928,813	608,896	479,245	51,505	78,146	252,624	913,621	920,349	1,682,757
Maine	639,690	2,196,984	1,515,160	209,197	58,393	85,202	65,602	122,778	135,226	214,623	480,337
Maryland	2,301,003	7,815,694	4,841,126	1,171,821	982,049	94,183	95,589	445,677	398,382	958,688	2,016,613
Massachusetts	4,685,534	12,634,150	8,337,599	1,092,748	796,189	141,528	155,031	906,346	1,120,520	1,176,937	3,093,333
Michigan	6,008,702	14,872,601	9,449,027	1,388,594	1,136,116	39,322	213,156	1,594,645	540,719	1,899,616	3,878,550
Minnesota	4,059,439	6,524,891	4,544,705	765,914	611,294	44,499	110,121	110,108	254,404	849,760	2,202,262
Mississippi	1,527,556	3,000,886	2,083,099	365,093	288,184	14,772	62,137	139,980	99,279	313,435	813,617
Missouri	2,425,474	5,312,042	3,544,720	625,684	487,448	41,658	96,578	252,840	355,756	533,042	1,621,790
Montana	417,186	1,462,357	854,713	205,114	173,885	9,984	21,245	49,504	94,107	258,919	349,037
Nebraska	618,137	1,940,520	1,370,745	310,363	256,788	9,082	44,493	77,880	116,136	65,396	722,263
Nevada	821,583	1,710,289	870,952	270,616	224,065	13,155	33,396	28,286	116,973	423,462	418,888
New Hampshire	221,400	1,629,525	1,073,762	216,396	161,718	35,202	19,476	45,880	199,734	93,753	393,113
New Jersey	6,201,380	14,610,263	9,087,279	1,864,315	1,518,463	23,427	322,425	160,502	1,378,856	2,119,311	3,467,428
New Mexico	1,392,320	2,569,902	1,714,878	374,564	303,463	21,787	49,314	88,648	119,626	272,186	705,711
New York	17,827,704	36,245,036	24,079,862	4,325,066	3,592,167	222,465	510,434	597,734	3,153,268	4,089,106	8,637,707
North Carolina	4,726,059	7,640,193	5,346,716	933,170	739,541	6,830	186,799	341,586	194,267	824,454	2,793,185
North Dakota	370,434	1,354,175	979,112	150,598	123,517	1,292	25,789	27,940	63,986	132,539	350,882
Ohio	6,772,650	16,202,368	8,701,295	1,613,878	1,314,626	64,019	235,233	858,596	764,180	4,264,419	3,689,540
Oklahoma	1,571,165	4,641,062	3,054,258	513,391	398,254	12,988	102,149	207,233	258,001	608,179	1,551,803
Oregon	1,336,959	4,349,197	2,620,626	443,317	347,237	12,491	83,589	173,250	488,118	623,886	1,167,365
Pennsylvania	6,466,619	16,520,345	10,379,148	1,574,547	1,314,659	44,789	215,099	1,482,468	720,512	2,363,670	3,275,615
Rhode Island	425,660	2,317,976	1,429,673	269,768	207,164	33,157	29,447	104,477	235,469	278,589	571,222
South Carolina	1,693,256	5,264,932	3,623,992	722,319	469,422	66,467	186,430	142,772	299,952	475,897	1,725,860

STATE EXPENDITURE, BY CHARACTER AND OBJECT AND BY STATE: 1989—Continued

		Direct expenditure									
				Capital outlay							
State	*Inter-governmental expenditure*	*Total*	*Current operation*	*Total*	*Construction*	*Land and existing structures*	*Equipment*	*Assistance and subsidies*	*Interest on debt*	*Insurance benefits and repayments*	*Exhibit: Total salaries and wages*
South Dakota	232,549	1,020,139	624,844	168,108	140,730	619	26,759	30,979	141,051	55,157	250,861
Tennessee	2,092,913	5,648,903	3,798,541	984,220	756,012	78,209	149,999	203,229	189,047	473,866	1,683,216
Texas	7,169,758	17,056,566	10,854,726	2,678,253	2,152,350	165,075	360,828	858,269	536,874	2,128,444	4,167,177
Utah	886,089	2,627,370	1,701,500	413,271	297,529	13,826	101,916	97,462	121,757	293,380	725,974
Vermont	260,543	1,173,165	856,849	112,358	79,453	5,625	27,280	67,700	83,582	52,676	300,408
Virginia	3,222,642	8,501,058	5,786,360	1,506,669	1,172,377	30,345	303,947	295,651	404,529	507,849	2,722,386
Washington	3,389,124	8,261,286	4,894,725	877,652	721,553	28,127	127,972	407,242	346,367	1,735,300	2,447,602
West Virginia	854,299	2,965,411	1,838,740	252,712	191,765	5,493	55,454	124,490	166,921	582,548	652,729
Wisconsin	4,077,703	6,435,914	4,082,867	600,141	415,534	38,282	146,325	535,025	410,314	807,567	1,703,344
Wyoming	575,771	990,381	557,656	208,818	178,892	3,070	26,856	32,006	70,717	121,184	248,630

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1989.*
Note: Detail may not add to totals due to rounding.

Table 6.14
STATE EXPENDITURE, BY CHARACTER AND OBJECT AND BY STATE: 1990
(In thousands of dollars)

		Direct expenditure									
				Capital outlay							
State	*Inter-governmental expenditure*	*Total*	*Current operation*	*Total*	*Construction*	*Land and existing structures*	*Equipment*	*Assistance and subsidies*	*Interest on debt*	*Insurance benefits and repayments*	*Exhibit: Total salaries and wages*
United States	$175,027,632	$397,290,778	$258,046,266	$45,524,240	$34,803,447	$3,470,769	$7,250,024	$16,901,709	$22,366,846	$54,451,717	$100,834,008
Alabama	2,015,484	6,103,611	4,377,752	742,472	555,435	29,301	157,736	194,677	208,051	580,659	1,797,321
Alaska	909,183	3,778,400	2,501,979	377,710	301,352	13,269	63,089	71,081	538,385	289,245	830,445
Arizona	2,432,564	5,832,245	3,463,015	1,294,017	822,933	363,217	107,867	210,454	157,854	706,905	1,159,248
Arkansas	1,176,535	3,046,800	2,245,292	276,148	194,496	20,659	60,993	109,826	122,328	293,206	905,249
California	35,173,773	43,693,553	29,603,817	2,979,894	2,180,716	286,680	512,498	544,523	1,960,584	8,604,735	10,556,166
Colorado	1,816,163	4,693,995	2,905,299	659,774	537,615	25,953	96,206	41,118	206,079	881,725	1,364,439
Connecticut	1,857,595	8,028,056	4,890,507	1,144,297	971,160	63,681	109,456	408,220	699,470	885,562	1,919,031
Delaware	358,518	1,769,260	1,147,056	235,428	169,703	34,082	31,643	50,809	218,186	117,781	533,338
Florida	7,204,813	14,517,705	10,034,565	1,890,512	1,307,670	252,318	330,524	783,423	666,366	1,142,839	4,572,695
Georgia	3,667,040	8,546,215	5,622,724	1,502,982	1,205,631	129,735	167,616	374,667	225,500	820,342	2,239,340
Hawaii	113,673	3,718,287	2,417,555	702,979	526,125	100,618	76,236	116,449	195,994	285,310	1,240,141
Idaho	584,926	1,461,839	889,014	283,824	226,264	12,923	44,637	31,344	72,008	185,649	373,206
Illinois	5,856,022	16,216,283	10,018,387	1,816,323	1,501,097	67,762	247,464	1,393,982	970,140	2,017,451	3,432,874
Indiana	3,385,370	7,028,594	5,337,271	845,992	575,737	74,533	195,722	137,350	286,150	421,831	1,872,376
Iowa	1,946,027	4,371,178	3,042,811	640,827	406,941	135,869	98,017	231,225	130,634	325,681	1,121,819
Kansas	1,311,740	3,392,820	2,397,245	426,743	330,739	17,009	78,995	168,400	25,208	375,224	1,080,010
Kentucky	1,913,433	5,858,149	3,840,261	792,145	560,431	96,731	134,983	230,959	328,489	666,295	1,558,753
Louisiana	2,330,717	7,089,766	4,232,513	741,236	587,534	42,347	111,355	264,388	954,729	896,900	1,746,279
Maine	663,588	2,380,854	1,656,380	174,413	124,876	14,963	34,574	143,048	158,108	248,905	525,384
Maryland	2,288,000	9,011,439	5,557,615	1,390,593	1,139,591	77,653	173,349	485,141	425,148	1,152,942	2,214,050
Massachusetts	4,649,241	14,086,940	9,218,315	1,109,360	918,970	91,058	99,332	909,356	1,223,920	1,625,989	3,445,612
Michigan	6,313,931	16,783,789	10,203,026	1,173,134	854,614	69,236	249,284	1,617,527	616,725	3,173,377	4,163,153
Minnesota	4,277,456	7,078,009	4,940,701	799,806	634,426	35,759	129,621	117,558	271,248	948,696	2,456,295
Mississippi	1,691,111	3,146,401	2,213,844	378,532	303,357	17,725	57,450	100,757	99,402	353,866	866,754
Missouri	2,561,392	5,764,170	3,908,578	597,719	437,033	48,844	111,842	272,805	362,842	622,226	1,964,871
Montana	419,878	1,587,058	909,621	202,904	171,620	13,098	18,186	50,645	100,462	323,426	362,542
Nebraska	771,891	2,112,839	1,516,685	329,431	270,080	9,135	50,216	82,137	114,896	69,690	750,931
Nevada	949,281	1,979,367	994,279	325,063	273,726	14,173	37,164	32,143	125,285	502,597	474,162
New Hampshire	220,209	1,751,483	1,172,369	175,201	136,013	21,388	17,800	49,577	213,995	140,341	414,101
New Jersey	6,005,632	15,843,026	9,867,434	1,860,835	1,522,045	59,013	279,777	158,403	1,458,107	2,498,247	3,593,737
New Mexico	1,463,158	2,709,267	1,844,108	389,106	322,486	21,436	45,184	80,091	114,756	281,206	740,850
New York	19,443,872	39,694,681	26,009,723	4,740,224	3,436,691	551,474	752,059	622,576	3,409,825	4,912,333	9,278,540
North Carolina	5,084,636	8,408,194	5,722,373	1,156,853	929,378	4,851	222,624	372,804	218,679	937,485	2,594,126
North Dakota	369,588	1,385,332	954,782	159,236	124,724	664	33,848	30,320	72,992	168,002	403,180
Ohio	7,386,283	17,850,761	9,780,481	1,612,733	1,304,727	45,962	262,044	1,185,919	800,595	4,471,033	3,788,905
Oklahoma	1,636,573	4,877,959	3,278,871	512,217	361,313	40,937	109,967	218,681	239,989	628,201	1,563,660
Oregon	1,479,025	4,873,362	2,979,159	548,558	444,484	11,259	92,815	181,723	471,320	692,602	1,226,744
Pennsylvania	6,921,300	17,609,715	11,018,914	1,541,823	1,273,017	40,035	228,771	1,567,454	791,323	2,690,201	3,465,059
Rhode Island	488,214	2,525,544	1,537,612	279,485	219,888	37,165	22,432	118,928	258,702	330,817	597,963
South Carolina	1,885,288	6,024,655	4,290,679	717,110	406,385	71,770	238,955	150,633	303,935	562,298	1,867,098

STATE EXPENDITURE, BY CHARACTER AND OBJECT AND BY STATE: 1990—Continued

		Direct expenditure										
				Capital outlay								
State	*Inter-governmental expenditure*	*Total*	*Current operation*	*Total*	*Construction*	*Land and existing structures*	*Equipment*	*Assistance and subsidies*	*Interest on debt*	*Insurance benefits and repayments*	*Exhibit: Total salaries and wages*
South Dakota	241,962	1,101,730	695,454	170,193	141,157	197	28,839	30,182	143,565	62,336	271,025
Tennessee	2,210,631	6,192,021	4,218,059	1,011,746	799,227	83,461	129,058	229,373	209,244	523,599	1,753,449
Texas	7,342,620	18,684,638	12,346,782	2,532,009	1,898,394	225,691	407,924	940,801	467,318	2,397,728	4,593,529
Utah	980,782	2,876,519	1,943,036	359,647	257,289	9,802	92,556	103,259	133,284	337,293	799,560
Vermont	265,368	1,299,681	934,844	122,208	86,922	9,609	25,677	74,458	96,083	72,088	323,779
Virginia	3,471,957	9,159,707	6,456,115	1,362,742	1,112,973	23,248	226,521	325,108	449,422	566,320	2,957,468
Washington	3,632,019	9,934,762	5,672,704	1,316,279	1,100,107	16,666	199,506	591,932	372,226	1,981,621	2,360,936
West Virginia	959,756	3,251,939	2,033,122	280,119	215,449	3,311	61,359	136,610	171,895	630,193	597,164
Wisconsin	4,315,552	7,100,865	4,606,991	618,410	428,088	31,256	159,066	526,383	431,812	917,269	1,842,616
Wyoming	583,862	1,057,315	596,547	223,248	192,818	3,243	27,187	32,482	73,588	131,450	274,035

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1990.*
Note: Detail may not add to totals due to rounding.

Table 6.15
STATE GENERAL EXPENDITURE, BY FUNCTION AND BY STATE: 1989
(In thousands of dollars)

State	*Total general expenditure* (a)	*Education*	*Public welfare*	*Highways*	*Hospitals*	*Natural resources*	*Health*	*Corrections*	*Financial administration*	*Employment security administration*	*Police*
United States	$469,268,608	$173,183,943	$92,750,221	$42,693,904	$21,414,268	$9,069,834	$17,187,667	$15,011,528	$7,672,068	$2,936,827	$4,745,877
Alabama	6,755,051	3,262,891	774,747	699,438	481,821	142,864	256,510	173,261	111,226	31,802	54,845
Alaska	4,100,208	972,861	356,085	507,009	29,580	159,131	102,377	115,455	97,454	23,220	40,167
Arizona	6,519,869	2,431,286	838,605	1,160,879	64,624	112,485	189,574	280,049	147,714	19,076	104,275
Arkansas	3,566,676	1,524,964	626,606	402,910	176,963	112,789	122,205	67,314	59,270	30,439	28,878
California	65,002,676	26,602,898	15,002,910	2,939,571	1,877,730	1,641,320	2,533,806	2,201,294	1,214,171	273,558	658,518
Colorado	5,085,669	2,099,852	840,613	600,716	270,497	129,058	169,952	186,450	116,023	50,197	36,046
Connecticut	8,192,569	2,097,419	1,427,298	934,985	608,511	85,675	266,418	220,969	148,839	56,964	87,063
Delaware	1,801,994	648,731	193,516	175,229	44,658	26,540	82,697	64,937	47,454	7,489	32,801
Florida	18,940,802	7,326,343	2,772,531	1,969,871	465,360	548,079	1,190,144	758,719	389,100	29,829	207,337
Georgia	10,095,999	4,456,818	1,849,877	885,264	459,802	270,096	407,388	418,338	113,453	80,742	110,581
Hawaii	2,924,487	988,028	357,675	128,015	146,915	83,040	118,302	73,775	48,443	17,360	4,473
Idaho	1,653,237	665,594	203,233	264,233	26,134	79,153	46,119	51,776	28,826	13,581	17,895
Illinois	18,538,953	6,185,822	4,145,439	2,055,679	559,436	251,073	624,279	524,035	304,859	175,230	195,228
Indiana	9,218,829	4,010,541	1,675,968	983,780	368,740	119,594	265,440	202,519	131,608	63,862	82,727
Iowa	5,533,634	2,370,829	860,934	741,795	402,627	124,513	97,135	111,147	56,356	41,171	40,274
Kansas	3,846,019	1,690,820	618,901	448,263	251,588	109,801	89,445	132,819	103,329	15,352	25,846
Kentucky	6,820,442	2,671,072	1,240,848	951,752	242,553	172,005	177,681	194,462	102,204	37,999	87,395
Louisiana	7,813,297	2,878,977	1,252,964	602,748	598,125	188,609	186,974	240,077	68,447	55,909	98,424
Maine	2,571,863	898,497	607,977	229,876	55,319	71,349	84,958	49,136	45,298	16,600	25,542
Maryland	8,957,910	2,565,273	1,655,660	1,309,870	323,659	179,420	434,443	397,029	185,692	32,721	212,721
Massachusetts	16,077,085	3,503,456	3,786,357	691,406	817,473	169,389	749,075	535,835	355,278	98,151	127,473
Michigan	18,627,628	6,094,322	4,494,362	1,315,977	990,382	259,072	1,292,028	828,753	148,883	146,877	178,462
Minnesota	9,734,570	3,732,125	1,832,670	893,635	560,390	249,625	264,352	131,824	119,115	90,965	79,863
Mississippi	4,126,198	1,754,637	685,038	420,081	203,170	130,047	120,327	73,132	38,078	39,488	37,523
Missouri	7,204,474	3,068,265	1,217,154	790,216	361,922	177,900	256,902	179,479	104,594	58,190	88,338
Montana	1,590,223	574,907	251,801	228,624	31,727	110,415	60,140	23,694	47,618	9,061	15,291
Nebraska	2,493,261	834,020	454,847	385,923	158,753	89,544	84,686	51,124	30,929	22,012	28,009
Nevada	2,050,772	737,530	174,383	258,289	39,734	45,202	41,955	98,389	56,791	19,503	16,787
New Hampshire	1,613,049	386,728	293,603	216,496	52,372	41,623	89,975	45,917	31,304	13,094	19,975
New Jersey	17,879,237	5,495,410	3,157,512	1,483,794	750,736	199,133	529,717	488,398	237,103	59,012	286,624
New Mexico	3,690,036	1,580,600	380,541	455,905	173,127	57,765	117,236	98,570	49,340	42,218	40,519
New York	45,846,279	12,664,676	13,401,424	2,041,430	3,123,669	327,582	1,628,279	1,745,209	742,253	294,706	286,920
North Carolina	11,541,798	5,616,584	1,604,733	1,137,859	539,683	237,527	391,127	425,870	108,315	41,733	114,060
North Dakota	1,592,070	561,606	263,168	193,767	55,517	64,976	21,087	13,667	22,564	6,863	6,568
Ohio	18,423,060	6,900,964	4,380,593	1,628,348	900,569	168,549	494,752	547,095	300,179	134,877	111,063
Oklahoma	5,342,035	2,263,344	1,042,723	657,901	275,150	83,263	159,663	158,245	106,491	41,296	44,740
Oregon	4,971,989	1,538,161	721,623	615,849	276,441	180,442	169,779	136,908	124,971	32,191	58,831
Pennsylvania	20,027,291	6,424,470	4,915,654	2,310,474	954,668	328,534	599,663	348,515	293,406	129,314	240,864
Rhode Island	2,434,226	690,691	519,982	179,451	119,941	19,770	116,743	65,677	46,878	20,300	20,367
South Carolina	5,932,628	2,555,740	720,627	501,247	383,695	151,692	332,501	242,945	117,017	56,477	77,913

STATE GENERAL EXPENDITURE, BY FUNCTION AND BY STATE: 1989—Continued

State	*Total general expenditure* (a)	*Education*	*Public welfare*	*Highways*	*Hospitals*	*Natural resources*	*Health*	*Corrections*	*Financial administration*	*Employment security administration*	*Police*
South Dakota	1,197,531	320,723	164,051	191,887	30,824	48,598	49,133	21,174	18,063	11,838	11,967
Tennessee	7,267,950	2,743,279	1,415,771	939,827	351,252	98,610	253,185	342,642	88,392	56,829	63,116
Texas	22,097,880	10,821,632	3,262,754	2,662,091	1,061,580	335,634	588,410	843,560	267,678	216,302	182,849
Utah	3,170,199	1,521,960	368,437	375,987	201,047	74,346	93,104	89,017	53,133	27,567	26,550
Vermont	1,353,551	472,377	244,578	150,326	22,678	44,702	36,478	23,985	27,030	9,185	20,025
Virginia	11,004,261	4,327,611	1,237,567	1,646,117	814,907	160,627	381,120	489,148	256,408	64,069	243,230
Washington	9,725,425	4,439,158	1,774,323	882,373	329,872	255,462	313,792	232,698	164,142	59,544	90,759
West Virginia	3,185,663	1,332,390	531,443	392,736	63,762	75,868	102,335	30,693	66,433	21,469	25,783
Wisconsin	9,706,050	3,393,424	2,043,302	812,191	286,224	186,089	351,108	220,905	100,031	29,783	34,937
Wyoming	1,422,005	483,637	106,813	241,814	28,361	91,254	53,168	20,899	29,885	10,812	15,435

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1989.*
Note: Detail may not add to totals due to rounding.

(a) Does not represent sum of state figures because total includes miscellaneous expenditure not shown separately.

Table 6.16
STATE GENERAL EXPENDITURE, BY FUNCTION AND BY STATE: 1990
(In thousands of dollars)

State	*Total general expenditure* (a)	*Education*	*Public welfare*	*Highways*	*Hospitals*	*Natural resources*	*Health*	*Corrections*	*Financial administration*	*Employment security administration*	*Police*
United States	$508,284,090	$184,934,682	$104,970,948	$44,248,750	$22,637,041	$9,909,025	$20,028,525	$17,266,479	$8,616,100	$3,003,319	$5,165,941
Alabama	7,410,669	3,391,301	1,049,184	715,656	594,933	143,211	298,354	165,164	125,216	34,179	57,823
Alaska	4,284,447	1,056,661	368,085	463,978	30,029	208,203	146,431	116,767	97,003	22,374	39,268
Arizona	7,534,510	2,758,516	1,077,045	1,468,692	75,344	116,972	240,957	324,095	148,817	20,644	113,663
Arkansas	3,930,129	1,686,011	787,836	419,665	191,302	106,098	136,306	81,060	68,496	30,482	33,341
California	70,188,885	26,905,840	16,420,958	3,511,689	2,058,956	1,774,941	3,461,193	2,881,080	1,351,151	270,197	786,246
Colorado	5,627,017	2,490,670	901,586	628,419	177,200	130,748	194,667	283,273	130,046	51,315	39,607
Connecticut	8,880,382	2,177,891	1,701,360	984,701	644,852	71,195	309,685	323,302	156,885	55,567	98,353
Delaware	1,994,322	709,012	227,900	190,675	45,975	33,375	101,391	70,995	53,051	7,277	35,421
Florida	20,557,573	7,828,665	3,529,199	1,733,182	476,858	616,142	1,309,620	858,218	370,054	29,687	193,677
Georgia	11,392,913	5,047,707	2,125,244	1,007,714	498,017	288,410	456,741	551,841	134,016	77,780	108,444
Hawaii	3,546,650	1,113,473	431,288	201,713	151,417	133,680	159,135	80,130	66,942	17,238	5,571
Idaho	1,831,124	750,887	228,382	288,112	27,574	86,665	52,753	44,979	30,881	11,537	20,921
Illinois	20,054,854	6,488,182	4,437,112	2,190,253	600,462	279,473	792,213	574,161	372,683	173,730	226,291
Indiana	9,992,133	4,235,384	1,930,490	973,791	416,771	124,102	296,971	255,367	173,910	63,041	88,065
Iowa	5,935,452	2,418,018	1,111,610	738,008	426,136	145,483	105,422	131,015	86,987	41,115	45,496
Kansas	4,329,336	1,845,448	731,966	543,970	274,454	121,447	105,126	184,510	98,702	16,250	29,421
Kentucky	7,101,401	2,945,453	1,419,174	717,544	262,801	210,845	178,431	200,351	116,518	41,542	90,307
Louisiana	8,523,583	3,176,941	1,342,381	740,261	618,881	207,104	228,894	226,153	81,904	53,593	105,829
Maine	2,743,255	941,649	689,141	244,213	67,914	72,688	94,449	58,016	45,355	18,822	28,577
Maryland	9,835,788	2,865,100	1,863,611	1,241,475	328,665	235,143	505,937	473,876	204,468	24,769	235,394
Massachusetts	17,038,958	3,495,797	4,603,737	615,843	841,464	149,056	793,562	677,370	359,569	89,735	124,272
Michigan	19,561,154	6,418,122	4,543,089	1,355,209	1,098,202	255,051	1,393,284	784,373	204,874	147,243	190,100
Minnesota	10,406,769	3,773,745	2,063,589	1,001,250	503,409	255,599	311,415	149,309	145,591	84,861	82,255
Mississippi	4,393,991	1,882,633	696,138	411,272	211,070	128,578	129,327	96,014	38,541	33,267	35,289
Missouri	7,703,336	3,273,917	1,376,684	779,057	387,886	188,371	288,087	194,617	130,771	62,742	84,110
Montana	1,651,012	575,787	275,973	251,558	33,063	85,525	64,018	27,574	53,731	9,052	19,655
Nebraska	2,815,040	906,853	498,491	409,490	191,631	97,939	96,165	56,890	39,728	21,859	29,702
Nevada	2,365,783	846,292	218,992	294,816	44,225	55,552	49,722	115,224	63,801	18,559	21,701
New Hampshire	1,676,319	401,418	328,219	206,771	45,043	32,758	97,545	49,696	35,287	14,092	23,235
New Jersey	18,436,359	5,784,963	3,456,441	1,324,264	772,275	200,535	465,005	571,231	314,047	58,744	299,551
New Mexico	3,891,219	1,681,220	435,600	385,820	187,300	76,962	132,172	114,821	54,530	46,533	40,197
New York	49,697,487	14,266,258	14,820,447	2,227,792	3,290,289	378,009	1,727,264	1,858,799	794,783	318,660	296,075
North Carolina	12,555,345	5,965,978	1,833,205	1,335,291	542,726	277,838	417,411	439,790	131,733	47,943	143,769
North Dakota	1,586,918	592,319	226,061	202,200	61,229	73,074	24,611	15,172	18,662	3,750	6,999
Ohio	20,489,043	7,720,031	5,058,374	1,700,021	964,706	236,892	620,483	559,056	441,996	141,120	121,123
Oklahoma	5,612,348	2,368,993	1,090,401	662,034	293,015	96,027	238,265	178,501	129,577	39,249	40,474
Oregon	5,562,795	1,729,762	933,856	650,895	304,383	184,632	197,258	183,298	140,740	31,267	67,820
Pennsylvania	21,233,590	6,974,773	5,186,441	2,275,076	928,010	330,780	738,805	403,157	308,899	137,444	268,906
Rhode Island	2,657,677	781,876	547,355	188,984	121,364	23,103	135,132	80,165	49,465	22,865	24,677
South Carolina	6,774,776	2,843,209	1,077,944	486,966	405,609	143,348	381,279	261,987	105,532	58,772	81,493
South Dakota	1,281,356	376,763	186,824	185,556	34,827	51,323	55,288	22,826	27,279	11,555	14,805
Tennessee	7,879,053	2,820,523	1,674,661	1,028,958	367,734	109,782	278,260	369,268	95,790	58,257	60,309
Texas	23,629,530	10,972,724	4,189,186	2,729,682	1,144,210	363,915	674,140	908,645	279,333	211,931	188,425
Utah	3,470,858	1,663,180	457,993	348,685	223,956	80,472	110,321	77,649	58,603	32,293	28,488
Vermont	1,465,551	516,469	273,723	147,248	22,549	42,113	43,083	26,836	25,460	8,721	22,734

See footnotes at end of table.

STATE GENERAL EXPENDITURE, BY FUNCTION AND BY STATE: 1990—Continued

State	*Total general expenditure* (a)	*Education*	*Public welfare*	*Highways*	*Hospitals*	*Natural resources*	*Health*	*Corrections*	*Financial administration*	*Employment security administration*	*Police*
Virginia	11,850,399	4,722,988	1,484,246	1,679,610	832,814	169,087	431,782	557,287	264,162	64,614	286,039
Washington	11,389,102	5,082,293	2,097,999	863,864	362,388	350,449	435,961	275,687	174,187	72,977	99,372
West Virginia	3,530,003	1,454,321	631,538	451,119	96,522	84,633	95,717	30,133	70,574	20,809	27,734
Wisconsin	10,499,148	3,684,889	2,220,588	795,688	324,909	196,216	367,338	274,736	109,699	61,590	39,599
Wyoming	1,484,748	523,777	109,601	250,020	31,692	85,481	61,149	22,015	36,071	11,676	15,318

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1990.*
Note: Detail may not add to totals due to rounding.

(a) Does not represent sum of state figures because total includes miscellaneous expenditure not shown separately.

Table 6.17
STATE DEBT OUTSTANDING AT END OF FISCAL YEAR, BY STATE: 1989
(In thousands of dollars, except per capita amounts)

			Long-term				*Net long-term* (a)	
State	*Total*	*Per capita*	*Total*	*Full faith and credit*	*Nonguaranteed*	*Short-term*	*Total*	*Full faith and credit*
United States	$295,500,265	$1,193.29	$293,250,500	$70,525,702	$222,724,798	$2,249,765	$118,222,612	$59,482,367
Alabama	4,077,801	990.24	4,077,452	1,162,768	2,914,684	349	1,859,026	1,131,094
Alaska	5,611,379	10,647.78	5,611,379	828,275	4,783,104	0	893,899	816,939
Arizona	2,068,687	581.75	2,068,687	0	2,068,687	0	1,490,691	0
Arkansas	1,767,213	734.50	1,765,069	28,675	1,736,394	2,144	366,389	28,675
California	26,207,294	901.74	26,207,294	4,444,105	21,763,189	0	9,947,555	4,375,457
Colorado	2,171,209	654.57	2,168,594	71,995	2,096,599	2,615	245,147	71,995
Connecticut	9,572,742	2,955.46	9,557,991	3,387,107	6,170,884	14,751	3,564,446	2,852,112
Delaware	2,831,160	4,206.78	2,821,827	465,024	2,356,803	9,333	682,692	447,261
Florida	8,967,093	707.69	8,961,136	1,886,030	7,075,106	5,957	4,162,888	883,103
Georgia	3,038,884	472.17	3,038,884	2,017,965	1,020,919	0	2,037,604	2,001,443
Hawaii	3,062,768	2,754.29	3,018,017	1,978,039	1,039,978	44,751	2,380,053	1,967,354
Idaho	834,436	822.92	834,436	0	834,436	0	187,399	0
Illinois	14,157,629	1,214.41	14,157,352	4,014,249	10,143,103	277	4,656,250	3,891,279
Indiana	3,587,499	641.43	3,561,270	0	3,561,270	26,229	1,236,199	0
Iowa	1,618,388	569.85	1,618,388	0	1,618,388	0	378,351	0
Kansas	343,580	136.72	342,862	0	342,862	718	272,729	0
Kentucky	5,136,155	1,378.09	5,136,155	95,535	5,040,620	0	2,751,613	43,443
Louisiana	12,160,067	2,775.00	12,110,778	4,000,587	8,110,191	49,289	5,664,943	3,969,349
Maine	2,031,615	1,662.53	2,031,575	324,170	1,707,405	40	334,132	324,170
Maryland	5,833,937	1,242.85	5,833,937	2,015,188	3,818,749	0	2,960,221	1,996,127
Massachusetts	16,218,466	2,742.85	15,770,859	6,044,125	9,726,734	447,607	6,680,477	5,997,999
Michigan	8,198,242	884.10	8,197,771	487,600	7,710,171	471	1,775,250	487,600
Minnesota	3,600,640	827.16	3,600,640	1,395,892	2,204,748	0	1,451,726	1,167,736
Mississippi	1,346,059	513.57	1,346,059	528,502	817,557	0	523,909	499,370
Missouri	4,892,529	948.35	4,866,474	786,095	4,080,379	26,055	944,152	704,314
Montana	1,346,567	1,670.68	1,327,715	83,390	1,244,325	18,852	313,685	83,390
Nebraska	1,410,800	875.73	1,395,973	0	1,395,973	14,827	399,574	0
Nevada	1,422,754	1,280.61	1,421,951	601,930	820,021	803	772,794	589,030
New Hampshire	2,945,814	2,661.08	2,944,491	513,644	2,430,847	1,323	498,452	406,464
New Jersey	17,392,990	2,248.32	17,382,148	2,772,774	14,609,374	10,842	7,266,698	2,765,456
New Mexico	1,895,599	1,240.58	1,887,162	129,561	1,757,601	8,437	460,512	129,561
New York	43,306,101	2,412.60	42,950,086	4,745,317	38,204,769	356,015	18,156,372	2,683,960
North Carolina	2,949,714	448.90	2,949,714	649,262	2,300,452	0	898,316	623,069
North Dakota	926,798	1,404.24	923,218	0	923,218	3,580	67,586	0
Ohio	10,513,426	963.92	10,381,163	2,839,175	7,541,988	132,263	4,734,984	2,839,175
Oklahoma	3,576,639	1,109.38	3,576,610	45,330	3,531,280	29	2,057,667	45,330
Oregon	6,736,558	2,388.85	6,601,558	5,844,424	757,134	135,000	1,607,989	1,495,975
Pennsylvania	10,539,696	875.39	10,150,199	4,621,473	5,528,726	389,497	6,041,400	4,617,111
Rhode Island	3,342,611	3,349.31	3,337,361	432,499	2,904,862	5,250	749,942	432,499
South Carolina	3,775,320	1,074.98	3,773,258	709,353	3,063,905	2,062	2,502,740	588,621
South Dakota	1,860,246	2,601.74	1,860,051	0	1,860,051	195	224,625	0
Tennessee	2,573,692	520.99	2,457,496	676,786	1,780,710	116,196	952,630	673,458
Texas	6,665,125	392.27	6,665,125	2,821,680	3,843,445	0	3,086,629	951,448
Utah	1,693,797	992.27	1,688,461	250,635	1,437,826	5,336	334,462	225,547
Vermont	1,107,631	1,953.49	1,103,599	234,680	868,919	4,032	269,886	234,680
Virginia	5,509,753	903.53	5,506,862	425,696	5,081,166	2,891	1,191,573	425,696
Washington	5,363,671	1,126.58	5,363,202	3,512,642	1,850,560	469	3,623,613	3,458,560
West Virginia	2,452,440	1,320.65	2,452,440	519,332	1,933,108	0	905,461	510,068
Wisconsin	5,930,668	1,218.55	5,519,388	2,133,485	3,385,903	411,280	3,616,914	2,045,741
Wyoming	926,383	1,950.28	926,383	708	925,675	0	40,367	708

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1989.*

Note: Detail may not add to totals due to rounding.

(a) Long-term debt outstanding minus long-term debt offsets.

Table 6.18
STATE DEBT OUTSTANDING AT END OF FISCAL YEAR, BY STATE: 1990
(In thousands of dollars, except per capita amounts)

			Long-term				*Net long-term* (a)	
State	*Total*	*Per capita*	*Total*	*Full faith and credit*	*Nonguaranteed*	*Short-term*	*Total*	*Full faith and credit*
United States	$318,253,891	$1,282.75	$315,489,821	$74,971,516	$240,518,305	$2,764,070	$125,523,513	$63,481,213
Alabama	3,979,067	984.67	3,977,926	1,099,895	2,878,031	1,141	1,765,555	1,076,255
Alaska	5,546,331	10,084.24	5,542,931	658,510	4,884,421	3,400	807,651	179,540
Arizona	2,192,956	598.35	2,192,956	0	2,192,956	0	2,064,509	0
Arkansas	1,747,048	743.11	1,746,366	28,675	1,717,691	682	240,711	28,675
California	28,866,306	969.97	28,866,306	5,431,905	23,434,401	0	11,313,314	5,384,381
Colorado	2,421,555	735.14	2,421,555	48,891	2,372,664	0	271,567	48,891
Connecticut	10,987,665	3,342.76	10,871,565	4,376,196	6,495,369	116,100	4,282,740	3,741,036
Delaware	2,978,014	4,471.49	2,966,156	471,973	2,494,183	11,858	744,108	468,622
Florida	9,950,071	769.06	9,942,816	1,742,825	8,199,991	7,255	4,867,901	952,684
Georgia	3,117,366	481.22	3,117,366	2,023,755	1,093,611	0	2,014,751	1,968,476
Hawaii	3,395,949	3,064.94	3,351,137	2,026,100	1,325,037	44,812	2,216,300	2,004,026
Idaho	977,171	970.38	977,171	0	977,171	0	175,214	0
Illinois	15,262,397	1,335.18	15,262,239	4,102,712	11,159,527	158	4,751,768	3,888,373
Indiana	4,140,038	746.76	4,126,220	0	4,126,220	13,818	1,574,727	0
Iowa	1,875,183	675.25	1,585,530	0	1,585,530	289,653	387,725	0
Kansas	306,297	123.61	305,629	0	305,629	668	256,153	0
Kentucky	5,295,370	1,437.01	5,295,370	70,660	5,224,710	0	2,857,055	0
Louisiana	12,770,321	3,026.14	12,609,874	3,709,043	8,900,831	160,447	4,985,834	3,424,092
Maine	2,125,146	1,730.57	2,125,121	306,275	1,818,846	25	315,280	306,275
Maryland	6,643,753	1,389.62	6,643,753	1,996,378	4,647,375	0	3,339,051	1,979,249
Massachusetts	18,714,704	3,110.82	18,244,158	7,800,576	10,443,582	470,546	8,425,439	7,790,956
Michigan	9,169,639	986.51	9,169,140	712,100	8,457,040	499	2,102,306	712,100
Minnesota	3,764,071	860.36	3,764,071	1,504,362	2,259,709	0	1,590,119	1,253,852
Mississippi	1,342,623	521.81	1,342,623	586,002	756,621	0	495,679	460,835
Missouri	5,249,856	1,025.96	5,206,936	801,590	4,405,346	42,920	934,081	667,996
Montana	1,395,842	1,746.9[illegible]	1,385,879	78,110	1,307,769	9,963	312,271	78,110
Nebraska	1,361,056	862.52	1,358,722	0	1,358,722	2,334	385,638	0
Nevada	1,572,645	1,308.36	1,571,044	683,478	887,566	1,601	859,501	671,266
New Hampshire	3,338,474	3,010.35	3,338,474	575,998	2,762,476	0	622,743	441,058
New Jersey	18,907,599	2,446.00	18,906,414	2,956,284	15,950,130	1,185	8,404,722	2,951,385
New Mexico	1,830,328	1,208.14	1,823,199	119,396	1,703,803	7,129	477,961	119,396
New York	46,547,127	2,587.39	46,242,879	5,145,696	41,097,183	304,248	19,799,459	3,079,633
North Carolina	3,071,211	463.30	3,071,211	576,185	2,495,026	0	888,003	556,555
North Dakota	872,159	1,364.88	868,707	0	868,707	3,452	50,152	0
Ohio	11,208,531	1,033.33	11,147,817	2,719,055	8,428,762	60,714	4,464,435	2,719,055
Oklahoma	3,714,198	1,180.61	3,714,191	34,935	3,679,256	7	1,972,421	34,935
Oregon	6,558,015	2,307.54	6,458,015	5,641,007	817,008	100,000	1,737,467	1,574,761
Pennsylvania	10,926,401	919.58	10,558,980	4,571,708	5,987,272	367,421	6,115,004	4,571,531
Rhode Island	3,615,805	3,604.99	3,543,238	454,243	3,088,995	72,567	831,326	454,243
South Carolina	3,894,367	1,116.82	3,894,367	808,093	3,086,274	0	2,514,421	697,526
South Dakota	1,787,363	2,568.05	1,787,199	0	1,787,199	164	249,010	0
Tennessee	2,618,094	536.82	2,510,951	628,725	1,882,226	107,143	898,055	628,084
Texas	7,863,557	462.92	7,313,543	3,172,530	4,141,013	550,014	3,705,393	1,373,809
Utah	1,790,494	1,039.17	1,779,390	259,525	1,519,865	11,104	339,817	234,940
Vermont	1,258,945	2,236.14	1,258,920	268,350	990,570	25	329,994	268,350
Virginia	6,082,564	983.12	6,082,016	448,175	5,633,841	548	947,313	448,175
Washington	5,685,548	1,168.18	5,685,079	3,549,861	2,135,218	469	3,630,961	3,501,244
West Virginia	2,477,168	1,381.58	2,477,168	475,295	2,001,873	0	864,261	465,757
Wisconsin	6,119,267	1,250.87	6,119,267	2,305,759	3,813,508	0	2,277,989	2,274,401
Wyoming	938,236	2,066.60	938,236	685	937,551	0	65,658	685

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finance: 1990.*

Note: Detail may not add to totals due to rounding.

(a) Long-term debt outstanding minus long-term debt offsets.

TRENDS IN STATE TAXATION, 1990-91

By Ronald Alt

The last two years have been difficult ones for state policy makers, as the economic slowdown forced them to make some tough choices. During this period, the economic recession spread from the Northeastern states to other parts of the country, causing state tax collections to lag behind forecast amounts and leading to large deficits in many states. As a result, during the last two years, 37 states raised one or more of their major tax sources.

In balancing their budgets, some states attempted to improve the progressivity of their tax system by increasing the income tax. However, most states raised all taxes across the board or increased selected taxes, with excise taxes being the most common tax raised (32 states). Twenty-one states increased the motor fuel excise tax, mainly to provide additional funding for highway construction. Cigarette excise taxes were increased in 19 states, while only eight states raised alcoholic beverage taxes. Meanwhile, 13 states raised personal income taxes; nine states increased corporate income taxes; and 15 states increased their sales tax rates.

Individual Income Taxes

Nine states and the District of Columbia made changes to their individual income tax structure in 1990. Three states — Massachusetts, Nebraska and Vermont — made across-the-board increases in the marginal rates. New Jersey and Oklahoma attempted to impose the increase on higher-income taxpayers by introducing new tax brackets with higher marginal rates. New York temporarily suspended a decrease in the marginal tax rate scheduled to go into effect in 1990. The voters in North Dakota approved a measure to reduce all income tax rates across the board. South Carolina allowed a scheuled drop in its lowest marginal rate from 2.75 percent to 2.5 percent. And the District of Columbia reduced the taxpayers' burden by raising the personal exemption amount. Arizona became the latest state to reform its personal income tax structure, reducing the number of income brackets from seven to five. The state also raised the income level at which a taxpayer would reach the top marginal rate, set the personal exemption amount the same as the federal government, and eliminated the inflation index provisions.

In 1991, eight states made changes to raise additional revenues from their individual taxes. Connecticut became the 42nd jurisdiction (including the District of Columbia) to impose a broad-based personal income tax when it enacted a tax calculated as 4.5 percent of federal adjusted gross income (AGI) less state exemption amounts. However, in the first year, 1991, the tax rate was imposed at the rate of 1.1 percent of federal AGI. Pennsylvania and Rhode Island increased their total tax rates, while four states (California, Maine, Minnesota and North Carolina) added income tax brackets to impose the increased tax burden on higher-income households. With its individual income tax linked to the federal tax liability, Vermont could not improve progressivity by adding new tax brackets. Therefore, state officials enacted two additional taxes on higher income taxpayers, making the total applicable tax rates 28 percent, 31 percent and 34 percent of federal liability — depending on level of income. New York once again delayed implementation of a scheduled tax cut and also delayed until April 1, 1992, a cut in the top marginal tax rate. Arkansas, in order to reduce the tax burden on poor households,

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created new tax tables for certain low-income taxpayers to reduce their income tax liability.

Corporate Income Taxes

Seven states changed their corporate income tax in 1990. The most substantial was in Arizona, where the overall corporate tax structure was reformed. State officials reduced a seven-bracket corporate income tax into a flat tax of 9.3 percent. Four states — Kentucky, Minnesota, Nebraska and Oklahoma — enacted across-the-board rate increases. Colorado and West Virginia implemented scheduled tax rate decreases.

In 1991, eight states made changes to their corporate income taxes. The enactment of a personal income tax in Connecticut enabled state policy makers to reduce the corporate income tax rate from 13.8 percent to 12.65 percent. Maine, Nebraska and North Carolina imposed surcharges on their corporate taxpayers. In addition, Nebraska imposed on corporate taxpayers another surcharge totaling 2 percent of the allowed depreciation. Arkansas added a new tax bracket for corporations earning more than $100,000. Pennsylvania increased its corporate income tax rate from 2.1 percent to 3.1 percent, while West Virginia and Colorado permitted a scheduled rate decrease to take effect.

Sales Taxes

In 1990, eight states enacted legislation to raise their sales tax rates. Kentucky, Nebraska, New Jersey and Rhode Island raised their tax rates by one percentage point. New Mexico and Texas increased the sales tax rate 0.25 percent, while Oklahoma added a half percent to its rate. On January 1, 1990, non-home-rule cities in Illinois lost the right to impose a local option sales tax. In lieu of the local tax, the state raised its general sales tax rate by 1.25 percent and will distribute the proceeds to local governments.

During 1991, seven states increased and one decreased the state sales tax rate. The new Connecticut income tax allowed state officials to lower the sales tax rate from 8 percent (the nation's highest) to 6 percent. Three states — Maine, North Carolina and Vermont — raised their sales tax rate by one percentage point. Arkansas raised the tax rate by 0.5 percent, while Nevada increased its rate by 1.25 percent. On January 1, 1990, California lowered its tax rate to 4.75 percent and later increased it to 6 percent as part of a budget balancing bill approved in July. The Minnesota Legislature enacted an additional 0.5 percent state sales tax to finance local aid, which was subject to approval by the local governments. All of the local jurisdictions agreed to the new tax.

Motor Fuels

The motor fuel tax increases implemented in 1990 raised the median state tax rate from 16.25 cents to 17 cents per gallon. In 1990, state legislatures enacted increases in the motor fuel excise rate in Arizona, a 1-cent increase; Massachusetts, 6 cents (from 10 percent to 17 percent of average price); New Hampshire, 2 cents; and Washington, 4 cents. Oklahoma allowed a 1-cent motor fuel tax to expire when the Petroleum Underground Tank Release Environmental Clean-Up Indemnity Fund reached $5 million in January, but reinstated it on January 23, 1990. Utah imposed an additional 0.5-cent per gallon environmental surcharge. The Florida Legislature raised the sales tax rate applicable to motor fuels from 5 percent to 6 percent — to 6.9 cents per gallon — as part of a highway financing package. In addition, California voters in a June 1990 election approved a 5-cent per gallon tax increase to finance highway construction. Six states approved tax increases in 1989 that became effective during 1990: Connecticut, a 2-cent per gallon increase; Illinois, 3 cents; Kansas, 1 cent; Louisiana, 4 cents; Ohio, 2 cents; and Oregon, 2 cents.

In 1991, 17 states raised their gasoline tax rate, increasing the median rate from 17 to 18 cents per gallon. Many of these increases were part of highway funding bills: Arkansas, a 5-cent increase; Connecticut, a 3-cent increase; Hawaii, 5 cents; Idaho, 3 cents; Maine, 2 cents; Nevada, 2 cents; and New Hampshire, 2 cents. Rhode Island (minimum gallonage rate) and Texas increased gasoline taxes by 6 cents and 5 cents, respectively, as part of the state budget. Florida imposed an additional tax equal to two-thirds the local rate (6-cent maximum). This tax will raise the maximum gallonage state, local and sales tax rate to 22.2 cents. A similar provision on diesel fuel will be phased in over four years. Four states — California, Connecticut, Kansas and Washington — implemented 1-cent per gallon gasoline tax increases approved earlier. Other states implementing previously approved changes include Colorado, 2 cents; Massachusetts, 4 cents (from 17 percent to 19.1 percent); and Oregon, 2 cents. Meanwhile, Vermont implemented a 1-cent drop in the gasoline excise tax rate approved by the 1990 Legislature. The North Carolina Legislature raised the base motor fuel tax rate by 0.5 cents per gallon effective January 1, 1992.

Seven states have variable tax rates that are subject to periodic adjustments depending on current market conditions and state revenue needs. They are Kentucky, Massachusetts, Michigan, Nebraska, North Carolina, Rhode Island and Wisconsin. While Massachusetts and Rhode Island legislatively increase the tax rate, only three of these states made administrative adjustments in their variable tax rates during this period. Nebraska changed its excise tax rate each quarter, with the rate rising as high as 26.5 cents before falling to the current rate of 23.7 cents per gallon. North Carolina makes adjustments to its motor fuel tax rate every six months. During this period, the rate rose to a high of 22.6 before falling to the current rate of 22.3 cents. In 1990, Wisconsin administratively adjusted its excise tax on motor fuels up 0.7 cents and added another 0.7 cents in 1991.

Most of the states increased their excise tax rates on diesel fuel by the same amount as the gasoline rate during this period. Tennessee increased its diesel fuel rate by 1 cent in 1990 and by another penny in 1991. While the gasoline tax rate was increased in 1991, Maine did not change the rate applicable to diesel fuel. In Arkansas, the diesel fuel rate was increased by 4 cents per gallon as part of a 1991 tax bill replacing the weight distance tax on trucks. This, along with a 2-cent increase enacted in the highway funding bill, sets the diesel fuel and gasoline rate at the same amount.

Tobacco

Eight states increased their excise tax rates on cigarettes during 1990, raising the median state tax rate to 22 cents per pack. States increasing tax rates were Arizona, a 3-cent increase; Delaware, 5 cents; Florida, 9.9 cents; Louisiana, 4 cents; New Hampshire, 4 cents; New Jersey, 13 cents; New York, 6 cents; and Texas, 15 cents.

Cigarette excise taxes were increased in 10 states in 1991 and fell in only one. As a result, the median state tax rate increased from 23 to 24 cents per pack of 20 cigarettes. States raising their cigarette tax rates include Arkansas, 1-cent per pack; Iowa, 5 cents; Maine, 6 cents; Maryland, 3 cents; Minnesota, 5 cents; North Carolina, 3 cents; Pennsylvania, 13 cents; Utah, 3.5 cents; Vermont, 1-cent; and the District of Columbia, 13 cents. In North Dakota, the Legislature reduced a scheduled drop in the cigarette tax from 3 cents to 1 cent per pack.

During the last two years, three more states enacted an excise tax on Other Tobacco Products (OTP), bringing the total to 36 states. In 1990, New Jersey imposed an OTP tax equal to 24 percent of the wholesale price. In addition, two states, Texas and California, changed their tax rates on OTP products. The former raised the tax rate on tobacco and snuff from 28.125 percent to 35.213 percent, while California administratively adjusted its rate downward from 37.41 percent to 34.17 percent. The California tax rate is dependent on the relationship of the cigarette excise tax rate to the average retail price of cigarettes. In 1991, New Hampshire enacted an OTP tax equivalent to the cigarette tax rate — 22.2 percent of the wholesale price. North Carolina also enacted an OTP tax equal to 2 percent of the manufacturers' price. Iowa raised its OTP tax rate from 19 percent to 22 percent, while Maine raised the tax rate on chewing tobacco and snuff from 50 percent to 62 percent and smoking tobacco and cigars from 13 percent to 16 percent. The North Dakota Legislature set the OTP rate at 22 percent, when it was scheduled to drop to 20 percent. California administratively adjusted its rate downward from 34.17 percent to 29.35 percent.

Alcoholic Beverages

Eight states and the District of Columbia made changes to alcoholic beverage taxes in 1990. Three states — Delaware, New Jersey and New York — raised the tax rate on all alcoholic beverages as part of a broad tax package. Delaware raised all alcohol taxes by more than 125 percent, while New Jersey's tax increases ranged from 50 percent for distilled spirits to a 200 percent increase for beer. New York increased the tax rate on spirits by 21 percent and beer by 90 percent. Tennessee lowered the excise tax rate on low alcoholic spirits (under 7 percent) to $1.10 per gallon. Colorado added two additional taxes to wine totaling 15 cents per gallon, while the District of Columbia reversed the wine tax changes made in 1989 (now imposing different tax rates according to alcoholic content). New Hampshire added 5 cents per gallon to the tax rate on all alcoholic beverages under 6 percent alcohol content (predominantly beer). Three states changed other taxes applicable to alcoholic beverages. Florida imposed a new tax based on the ounces of alcohol purchased at retail for on-premise consumption. New Jersey reduced the wholesale tax to 2.9 percent and now applies the retail sales tax to all alcoholic beverage sales. Texas raised the on-premise mixed drink tax from 12 percent to 14 percent.

In 1991, only three states made changes to their taxation of alcoholic beverages. California raised the tax on spirits to $3.30 per gallon and raised the tax on beer and wine to 20 cents per gallon. Other changes in the taxation of alcoholic beverages included a scheduled reduction in the wholesale sales tax rate in New Jersey, from 2.9 percent to 1.5 percent, Maine enacted a lower tax rate for low alcohol spirits (under 4 percent alcoholic content), which will be taxed at 30 cents per gallon.

Table 6.19
AGENCIES ADMINISTERING MAJOR STATE TAXES
(As of January 1992)

State or other jurisdiction	*Income*	*Sales*	*Gasoline*	*Motor vehicle*
Alabama	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue
Alaska	Dept. of Revenue	. . .	Dept. of Revenue	Dept. of Public Safety
Arizona	Dept. of Revenue	Dept. of Revenue	Dept. of Transportation	Dept. of Transportation
Arkansas	Dept. of Fin. & Admin.	Dept. of Fin. & Admin.	Dept. of Fin. & Admin.	Dept. of Fin. & Admin.
California	Franchise Tax Bd.	Bd. of Equalization	Bd. of Equalization	Dept. of Motor Vehicles
Colorado	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue
Connecticut	Dept. of Revenue Serv.	Dept. of Revenue Serv.	Dept. of Revenue Serv.	Dept. of Motor Vehicles
Delaware	Div. of Revenue	. . .	Dept. of Public Safety	Dept. of Public Safety
Florida	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Div. of Motor Vehicles
Georgia	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue
Hawaii	Dept. of Taxation	Dept. of Taxation	Dept. of Taxation	County Treasurer
Idaho	Dept. of Revenue & Tax.	Dept. of Revenue & Tax.	Dept. of Revenue & Tax.	Dept. of Transportation
Illinois	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Secretary of State
Indiana	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Bur. of Motor Vehicles
Iowa	Dept. of Revenue & Finance	Dept. of Revenue & Finance	Dept. of Revenue & Finance	Local
Kansas	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Local
Kentucky	Revenue Cabinet	Revenue Cabinet	Revenue Cabinet	Transportation Cabinet
Louisiana	Dept. of Revenue & Tax.	Dept. of Revenue & Tax.	Dept. of Revenue & Tax.	Dept. of Public Safety
Maine	Bur. of Taxation	Bur. of Taxation	Bur. of Taxation	Secretary of State
Maryland	Comptroller	Comptroller	Comptroller	Dept. of Transportation
Massachusetts	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Reg. of Motor Vehicles
Michigan	Dept. of Treasury	Dept. of Treasury	Dept. of Treasury	Secretary of State
Minnesota	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Public Safety
Mississippi	Tax Comm.	Tax Comm.	Tax Comm.	Tax Comm.
Missouri	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue
Montana	Dept. of Revenue	. . .	Dept. of Revenue	Local
Nebraska	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Motor Vehicles
Nevada	. . .	Dept. of Taxation	Dept. of Taxation	Dept. of Motor Vehicles
New Hampshire	Dept. of Revenue Admin.	. . .	Dept. of Safety	Dept. of Safety
New Jersey	Dept. of Treasury	Dept. of Treasury	Dept. of Treasury	Dept. of Law & Public Safety
New Mexico	Tax & Revenue Dept.	Tax & Revenue Dept.	Tax & Revenue Dept.	Tax & Revenue Dept.
New York	Dept. of Tax. & Finance	Dept. of Tax. & Finance	Dept. of Tax. & Finance	Dept. of Motor Vehicles
North Carolina	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Transportation
North Dakota	Tax Cmsr.	Tax Cmsr.	Tax Cmsr.	Dept. of Transportation
Ohio	Dept. of Taxation	State Treasurer	Dept. of Taxation	Bur. of Motor Vehicles
Oklahoma	Tax Comm.	Tax Comm.	Tax Comm.	Tax Comm.
Oregon	Dept. of Revenue	. . .	Dept. of Transportation	Dept. of Transportation
Pennsylvania	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Transportation
Rhode Island	Dept. of Administration	Dept. of Administration	Dept. of Administration	Dept. of Transportation
South Carolina	Tax Comm.	Tax Comm.	Tax Comm.	Dept. of Hwys. & Pub. Transportation
South Dakota	. . .	Dept. of Revenue	Dept. of Revenue	Dept. of Motor Vehicles
Tennessee	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue
Texas	. . .	Comptroller	Comptroller	Dept. of Hwys. & Pub. Transportation
Utah	Tax Comm.	Tax Comm.	Tax Comm.	Tax Comm.
Vermont	Cmsr. of Taxes	Cmsr. of Taxes	Cmsr. of Motor Vehicles	Cmsr. of Motor Vehicles
Virginia	Dept. of Taxation	Dept. of Taxation	Dept. of Motor Vehicles	Dept. of Motor Vehicles
Washington	. . .	Dept. of Revenue	Dept. of Licensing	Dept. of Licensing
West Virginia	Dept. of Tax & Revenue	Dept. of Tax & Revenue	Dept. of Tax & Revenue	Dept. of Motor Vehicles
Wisconsin	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	Dept. of Transportation
Wyoming	. . .	Dept. of Revenue & Tax.	Dept. of Revenue & Tax.	Dept. of Revenue & Tax.
Dist. of Columbia	Dept. of Fin. & Revenue	Dept. of Fin. & Revenue	Dept. of Fin. & Revenue	Dept. of Fin. & Revenue

AGENCIES ADMINISTERING MAJOR STATE TAXES—Continued

State or other jurisdiction	*Tobacco*	*Death*	*Alcoholic beverage*	*Number of agencies administering taxes*
Alabama	Dept. of Revenue	Dept. of Revenue	Alcoh. Bev. Control Bd.	2
Alaska	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Arizona	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Arkansas	Dept. of Fin. & Admin.	Dept. of Fin. & Admin.	Dept. of Fin. & Admin.	1
California	Bd. of Equalization	Controller	Bd. of Equalization	4
Colorado	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	1
Connecticut	Dept. of Revenue Serv.	Dept. of Revenue Serv.	Dept. of Revenue Serv.	2
Delaware	Div. of Revenue	Div. of Revenue	Div. of Revenue	2
Florida	Dept. of Business Reg.	Dept. of Revenue	Dept. of Business Reg.	3
Georgia	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	1
Hawaii	Dept. of Taxation	Dept. of Taxation	Dept. of Taxation	2
Idaho	Dept. of Revenue & Tax.	Dept. of Revenue & Tax.	Dept. of Revenue & Tax.	2
Illinois	Dept. of Revenue	Attorney General	Dept. of Revenue	3
Indiana	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Iowa	Dept. of Revenue & Finance	Dept. of Revenue & Finance	Dept. of Revenue & Finance	2
Kansas	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Kentucky	Revenue Cabinet	Revenue Cabinet	Revenue Cabinet	2
Louisiana	Dept. of Revenue & Tax.	Dept. of Revenue & Tax.	Dept. of Revenue & Tax.	2
Maine	Bur. of Taxation	Bur. of Taxation	Liquor Comm.	3
Maryland	Comptroller	Local	Comptroller	3
Massachusetts	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Michigan	Dept. of Treasury	Dept. of Treasury	Liquor Control Comm.	3
Minnesota	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Mississippi	Tax Comm.	Tax Comm.	Tax Comm.	1
Missouri	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	1
Montana	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Nebraska	Dept. of Revenue	Dept. of Revenue	Liquor Control Comm.	3
Nevada	Dept. of Taxation	Dept. of Taxation	Dept. of Taxation	2
New Hampshire	Dept. of Revenue Admin.	Dept. of Revenue Admin.	Liquor Comm.	3
New Jersey	Dept. of Treasury	Dept. of Treasury	Dept. of Treasury	2
New Mexico	Tax & Revenue Dept.	Tax & Revenue Dept.	Tax & Revenue Dept.	1
New York	Dept. of Tax. & Finance	Dept. of Tax. & Finance	Dept. of Tax. & Finance	2
North Carolina	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
North Dakota	Tax Cmsr.	Tax Cmsr.	Treasurer	3
Ohio	Dept. of Taxation	Dept. of Taxation	State Treasurer	3
Oklahoma	Tax Comm.	Tax Comm.	Tax Comm.	1
Oregon	Dept. of Revenue	Dept. of Revenue	Liquor Control Comm.	3
Pennsylvania	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Rhode Island	Dept. of Administration	Dept. of Administration	Dept. of Administration	2
South Carolina	Tax Comm.	Tax Comm.	Tax Comm.	2
South Dakota	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Tennessee	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	1
Texas	State Treasurer	Comptroller	State Treasurer	3
Utah	Tax Comm.	Tax Comm.	Tax Comm.	1
Vermont	Cmsr. of Taxes	Cmsr. of Taxes	Cmsr. of Taxes	2
Virginia	Dept. of Taxation	Dept. of Taxation	Alcoh. Bev. Control Bd.	3
Washington	Dept. of Revenue	Dept. of Revenue	Liquor Control Bd.	3
West Virginia	Dept. of Tax & Revenue	Dept. of Tax & Revenue	Dept. of Tax & Revenue	2
Wisconsin	Dept. of Revenue	Dept. of Revenue	Dept. of Revenue	2
Wyoming	Dept. of Revenue & Tax.	Dept. of Revenue & Tax.	Liquor Comm.	2
Dist. of Columbia	Dept. of Fin. & Revenue	Dept. of Fin. & Revenue	Dept. of Fin. & Revenue	1

Source: The Federation of Tax Administrators.
Key:
. . . — Not applicable

Table 6.20
STATE TAX AMNESTY PROGRAMS
November 22, 1982 - Present

State or other jurisdiction	*Amnesty Period*	*Legislative authorization*	*Major taxes covered*	*Accounts receivable included*	*Collections ($ Millions)* (a)	*Installment arrangements permitted* (b)
Alabama	01/20/84 - 04/01/84	No (c)	All	No	3.2	No
Arizona	11/22/82 - 01/20/83	No (c)	All	No	6.0	Yes
Arkansas	09/01/87 - 11/30/87	Yes	All	No	1.7	Yes
California	12/10/84 - 03/15/85	Yes Yes	Individual Income Sales	Yes No	154.0 43.0	Yes Yes
Colorado	09/16/85 - 11/15/85	Yes	All	No	6.4	Yes
Connecticut	09/01/90 - 11/30/90	Yes	All	Yes	54.0	Yes
Florida	01/01/87 - 06/30/87 01/01/88 - 06/30/88	Yes Yes (d)	Intangibles All	No No	13.0 8.4 (d)	No No
Idaho	05/20/83 - 08/30/83	No (c)	Individual Income	No	0.3	No
Illinois	10/01/84 - 11/30/84	Yes	All	Yes	160.5	No
Iowa	09/02/86 - 10/31/86	Yes	All	Yes	35.1	N.A.
Kansas	07/01/84 - 09/30/84	Yes	All	No	0.6	No
Kentucky	09/15/88 - 09/30/88	Yes (c)	All	No	61.1	No
Louisiana	10/01/85 - 12/31/85 10/01/87 - 12/15/87	Yes Yes	All All	No No	1.2 0.3	Yes (e) Yes (e)
Maine	11/01/90 - 12/31/90	Yes	All	Yes	29.0	Yes
Maryland	09/01/87 - 11/02/87	Yes	All	Yes	34.6 (f)	No
Massachusetts	10/17/83 - 01/17/84	Yes	All	Yes	86.5	Yes (g)
Michigan	05/12/86 - 06/30/86	Yes	All	Yes	109.8	No
Minnesota	08/01/84 - 10/31/84	Yes	All	Yes	12.1	No
Mississippi	09/01/86 - 11/30/86	Yes	All	No	1.0	No
Missouri	09/01/83 - 10/31/83	No (c)	All	No	0.9	No
New Jersey	09/10/87 - 12/08/87	Yes	All	Yes	186.5	Yes
New Mexico	08/15/85 - 11/13/85	Yes	All (h)	No	13.6	Yes
New York	11/01/85 - 01/31/86	Yes	All (i)	Yes	401.3	Yes
North Carolina	09/01/89 - 12/01/89	Yes	All (j)	Yes	37.6	No
North Dakota	09/01/83 - 11/30/83	No (c)	All	No	0.2	Yes
Oklahoma	07/01/84 - 12/31/84	Yes	Income, Sales	Yes	13.9	No (k)
Rhode Island	10/15/86 - 01/12/87	Yes	All	No	0.7	Yes
South Carolina	09/01/85 - 11/30/85	Yes	All	Yes	7.1	Yes
Texas	02/01/84 - 02/29/84	No (c)	All (l)	No	0.5	No
Vermont	05/15/90 - 06/25/90	Yes	All	Yes	1.0 (m)	No
Virginia	02/01/90 - 03/31/90	Yes	All	Yes	32.2	No
West Virginia	10/01/86 - 12/31/86	Yes	All	Yes	15.9	Yes
Wisconsin	09/15/85 - 11/22/85	Yes	All	Yes (n)	27.3	Yes
Dist. of Columbia	07/01/87 - 09/30/87	Yes	All	Yes	24.3	Yes

Source: The Federation of Tax Administrators.

Key:

N.A. — Not available

(a) Where applicable, figure includes local portions of certain taxes collected under the state tax amnesty program.

(b) "No" indicates requirement of full payment by the expiration of the amnesty period. "Yes" indicates allowance of full payment after the expiration of the amnesty period.

(c) Authority for amnesty derived from pre-existing statutory powers permitting the waiver of tax penalties.

(d) Does not include intangibles tax and drug taxes. Gross collections totaled $22.1 million, with $13.7 million in penalties withdrawn.

(e) Amnesty taxpayers were billed for the interest owed, with payment due within 30 days of notification.

(f) Figure includes $1.1 million for the separate program conducted by the Department of Natural Resources for the boat excise tax.

(g) The amnesty statute was construed to extend the amnesty to those who applied to the department before the end of the amnesty period, and permitted them to file overdue returns and pay back taxes and interest at a later date.

(h) The severance taxes, including the six oil and gas severance taxes, the resources excise tax, the corporate franchise tax, and the special fuels tax were not subject to amnesty.

(i) Availability of amnesty for the corporation tax, the oil company taxes, the transportation and transmissions companies tax, the gross receipts oil tax, and the unincorporated business tax restricted to entities with 500 or fewer employees in the United States on the date of application. In addition, a taxpayer principally engaged in aviation, or a utility subject to the supervision of the state Department of Public Service was also ineligible.

(j) Local taxes and real property taxes were not included.

(k) Full payment of tax liability required before the end of the amnesty period to avoid civil penalties.

(l) Texas does not impose a corporate or individual income tax. In practical effect, the amnesty was limited to the sales tax and other excises.

(m) Preliminary figure.

(n) Waiver terms varied depending upon the date that tax liability was assessed.

Table 6.21
STATE EXCISE TAX RATES
(As of January 1, 1992)

State or other jurisdiction	General sales and gross receipts tax (percent)	Cigarettes (cents per pack of 20)	Distilled spirits (a) ($ per gallon)	Motor fuel (b) (cents per gallon)	
				Gasoline	Diesel
Alabama	4	16.5	. . .	11	12
Alaska	. . .	29	5.60	8	8
Arizona	5	18	3.00	18	18
Arkansas	4.5	22	2.50 (c)	18.5	18.5
California	6 (d)	35	3.00	16	16
Colorado	3	20	2.28	22	20.5
Connecticut	6	45	4.50	26	26
Delaware	. . .	24	5.46	19	19
Florida	6	33.9	6.50	4 (e)	4 (e)
Georgia	4	12	3.79	7.5	7.5
Hawaii	4	40% (f)	5.75	16	16
Idaho	5	18	. . .	22	22
Illinois	6.25 (g)	30	2.00	19	21.5
Indiana	5	15.5	2.68	15	16
Iowa	4	36	. . .	20	22.5
Kansas	4.25	24	2.50 (h)	17	19
Kentucky	6	3 (i)	1.92 (j)	15	12
Louisiana	4	20	2.50	20	20
Maine	6	37	. . .	19	20
Maryland	5	16	1.50	18.5	18.5
Massachusetts	5	26	4.05	21	21
Michigan	4	25	. . .	15	15
Minnesota	6.5 (g)	43	5.03 (k)	20	20
Mississippi	6	18	. . .	18	18
Missouri	4.225	13	2.00	11	11
Montana	. . .	18	. . .	20	20
Nebraska	4	27	3.00	23.8	23.8
Nevada	6.5 (l)	35	2.05	19.75	24.5
New Hampshire	. . .	25	. . .	18	18
New Jersey	7	40 (m)	4.20 (n)	10.5	13.5
New Mexico	5	15	3.94	16.2	16.2
New York	4	39	6.44	8	10
North Carolina	4	5	. . .	22.3	22.3
North Dakota	5	29	2.50	17	17
Ohio	5	18	. . .	21	21
Oklahoma	4.5	23	5.56 (o)	17	14
Oregon	. . .	28	. . .	22	22
Pennsylvania	6	31	. . .	12	12
Rhode Island	7	37	3.75	26	26
South Carolina	5	7	2.72 (p)	16	16
South Dakota	4	23	3.93 (q)	18	18
Tennessee	5.5	13 (r)	4.00 (s)	21	18
Texas	6.25	41	2.40 (t)	20	20
Utah	5	26.5	. . .	19	19
Vermont	5	19	. . .	15	16
Virginia	3.5	2.5	. . .	17.7	16.2
Washington	6.5	34	. . .	23	23
West Virginia	6	17	. . .	15.5	15.5
Wisconsin	5	30	3.25	22.5	22.5
Wyoming	3	12	. . .	9	9
Dist. of Columbia	6	30	1.50	18	18

See footnotes at end of table.

STATE EXCISE TAX RATES—Continued

Source: The Federation of Tax Administrators, compiled from various sources.

Key:

. . . — Tax is not applicable.

(a) Eighteen states have liquor monopoly systems. In Alabama, Idaho, Iowa, Maine, Michigan, Mississippi, Montana, New Hampshire, Ohio, Oregon, Pennsylvania, Utah, Vermont, Virginia, Washington, West Virginia and Wyoming, the state operates retail/wholesale liquor outlets. In North Carolina, liquor stores are operated by county boards. Tax rates in these states cannot be compared to others, since revenue is generated from various taxes, fees and net liquor profits. Only gallonage taxes imposed by states with a license system are reported in the table.

(b) In some states, different tax rates apply to liquefied petroleum gas, compressed natural gas and gasohol. Several states have variable-rate motor fuel taxes, under which the motor fuel tax rate is changed periodically by administrative action according to a statutory formula. Connecticut, New York and Pennsylvania have gross receipts or franchise taxes on oil companies, which are not covered in this table.

(c) Additional 20 cents per case and 3 percent off-premise or 14 percent on-premise sales taxes are imposed.

(d) Includes a 0.5 percent temporary tax pending a judicial ruling on school finance, and a 0.5 percent temporary tax effective until July 1, 1993.

(e) The amount of the 6 percent sales tax is determined by the Department of Revenue based on average retail price, and is in addition to the gallonage rate reported in the table. An additional transportation tax is imposed at two-thirds the total local rate up to 6 cents per gallon.

(f) Tax is based on wholesale price, approximately 46 cents per pack in 1991.

(g) 1.25 percent of the tax in Illinois and 0.5 percent in Minnesota are distributed to local governments.

(h) Plus two additional taxes: an 8 percent enforcement tax on all sales and a 10 percent gross receipts tax.

(i) Dealers pay an additional enforcement and administrative fee of 0.1 cent per pack.

(j) Additional 5 cents per case and 9 percent wholesale taxes are imposed.

(k) An additional 1 cent per bottle tax imposed on all liquor except miniatures.

(l) Includes mandatory, statewide, state-collected 3.75 percent county and school sales tax.

(m) Includes a surtax in lieu of the state's sales tax, which is determined semi-annually by the Department of Taxation (8 cents per pack in 1990).

(n) An additional 1.5 percent wholesale tax is imposed until July 1, 1992. The tax rate will increase to $4.40 per gallon on July 1, 1992.

(o) Additional $1.00 per bottle and 12 percent gross receipts taxes are imposed on all on-premise sales.

(p) An additional $5.36 per case tax and a 9 percent surtax are imposed on all liquor sales.

(q) An additional 2 percent wholesale tax is imposed.

(r) Dealers pay an additional enforcement and administrative fee of 0.05 cent per pack.

(s) Additional 15 cents per case and 15 percent (on-premise sales) taxes are imposed.

(t) Additional 14 percent (on-premise sales) and 5 cents per drink (airline sales) taxes are also imposed.

Table 6.22
FOOD AND DRUG SALES TAX EXEMPTIONS
(As of January 1, 1992)

State or other jurisdiction	Tax rate (percentage) (a)	Exemptions		
		Food	Prescription drugs	Nonprescription drugs
Alabama	4	. . .	★	. . .
Alaska	none	. . .	. . .	. . .
Arizona	5	★	★	. . .
Arkansas	4.5	. . .	★	. . .
California (b)	6	★	★	. . .
Colorado	3	★	★	. . .
Connecticut	6	★	★	. . .
Delaware	none	. . .	. . .	★
Florida	6	★	★	. . .
Georgia	4	. . .	★	. . .
Hawaii	4	. . .	★	. . .
Idaho	5	. . .	★	. . .
Illinois (c)	6.25	1%	1%	1%
Indiana	5	★	★	. . .
Iowa	4	★	★	. . .
Kansas	4.25	. . .	★	. . .
Kentucky	6	★	★	. . .
Louisiana	4	3%	★	. . .
Maine (d)	6	★	★	. . .
Maryland	5	★	★	★
Massachusetts	5	★	★	. . .
Michigan	4	★	★	. . .
Minnesota (c)	6.5	★	★	★
Mississippi	6	. . .	★	. . .
Missouri	4.225	. . .	★	. . .
Montana	none	. . .	. . .	. . .
Nebraska	5	★	★	. . .
Nevada	6.5	★	★	. . .
New Hampshire	none	. . .	. . .	. . .
New Jersey	7	★	★	★
New Mexico	5	. . .	. . .	. . .
New York	4	★	★	★
North Carolina	4	. . .	★	. . .
North Dakota	5	★	★	. . .
Ohio	5	★	★	. . .
Oklahoma	4.5	. . .	★	. . .
Oregon	none	. . .	. . .	. . .
Pennsylvania	6	★	★	★
Rhode Island	7	★	★	★
South Carolina	5	. . .	★	. . .
South Dakota	4	. . .	★	. . .
Tennessee	5.5	. . .	★	. . .
Texas	6.25	★	★	. . .
Utah	5	. . .	★	. . .
Vermont (d)	5	★	★	. . .
Virginia	3.5	. . .	★	(e)
Washington	6.5	★	★	. . .
West Virginia	6	. . .	★	. . .
Wisconsin	5	★	★	. . .
Wyoming	3	. . .	★	. . .
Dist. of Columbia	6	★	★	★

Source: The Federation of Tax Administrators compiled from arious sources.

Key:

★ — Yes

. . . — No

(a) Some states (Hawaii, Idaho, Kansas, New Mexico, South Dakota, Vermont, Wyoming) tax food, but allow an (income) tax credit to compensate poor households.

(b) Includes a 0.5 percent temporary tax pending a judicial ruling on school finance, and a 0.5 percent temporary tax effective until July 1, 1993.

(c) 1.25 percent of the tax in Ilinois and 0.5 percent in Minnesota is distributed to local governments.

(d) On July 1, 1993, Maine will lower the sales tax rate to 5 percent and Vermont to 4 percent.

(e) Fully exempt after June 30, 1992.

Table 6.23
STATE INDIVIDUAL INCOME TAXES
(As of January 1, 1992)

State or other jurisdiction	Tax rate range (in percents)		Number of brackets	Income brackets		Personal exemptions			Federal income tax deductible
	Low	High		Lowest	Highest	Single	Married	Dependents	
Alabama	2.0	5.0	3	500 (a)	3,000 (a)	1,500	3,000	300	★
Alaska	(b)								
Arizona	3.8	7.0	5	10,000 (a)	150,000 (a)	2,000	4,000	2,000	
Arkansas	1.0	7.0 (c)	6	3,000	25,000	20 (d)	40 (d)	20 (d)	
California (e)	1.0	11.0	8	4,394 (a)	200,000 (a)	60 (d)	120 (d)	60 (d)	
Colorado	5.0			Flat rate		None			
Connecticut	4.5			Flat rate		12,000 (f)	24,000 (f)	0	
Delaware	0.0	7.7	8	2,000	40,000	1,250	2,500	1,250	
Florida	(b)								
Georgia	1.0	6.0	6	750 (g)	7,000 (g)	1,500	3,000	1,500	
Hawaii	2.0	10.0	8	1,500 (a)	20,500 (a)	1,040	2,080	1,040	
Idaho	2.0	8.2	8	1,000 (h)	20,000 (h)	2,300 (i)	4,600 (i)	2,300 (i)	
Illinois	3.0		1	Flat rate		1,000	2,000	1,000	
Indiana	3.4		1	Flat rate		1,000	2,000	1,000	
Iowa (e)	0.4	9.98	9	1,060	47,700	20 (d)	40 (d)	15 (d)	★
Kansas	4.5	5.95	2	27,500 (j)	27,500 (j)	2,000	4,000	2,000	★ (j)
Kentucky	2.0	6.0	5	3,000	8,000	20 (d)	40 (d)	20 (d)	
Louisiana	2.0	6.0	3	10,000 (a)	50,000 (a)	4,500 (k)	9,000 (k)	1,000 (k)	★
Maine (e,l)	2.0	8.6	5	4,050 (a)	37,500 (a)	2,050	4,100	2,050	
Maryland	2.0	5.0	4	1,000	3,000	1,200	2,000	1,000	
Massachusetts	5.95 (m)		1	Flat rate		2,200	4,400	1,000	
Michigan	4.6		1	Flat rate		2,100	4,200	2,100	
Minnesota	6.0	8.5	3	13,620 (n)	44,750 (n)	2,300 (i)	4,600 (i)	2,300 (i)	
Mississippi	3.0	5.0	3	5,000	10,000	6,000	9,500	1,500	
Missouri	1.5	6.0	10	1,000	9,000	1,200	2,400	400	★
Montana (e)	2.0	11.0	10	1,600	57,600	1,320	2,640	1,320	
Nebraska (e)	2.37	6.92	4	1,800 (o)	27,000 (o)	1,360	2,720	1,360	
Nevada	(b)								
New Hampshire	(p)								
New Jersey	2.0	7.0	5	20,000 (q)	75,000 (q)	1,000	2,000	1,500	
New Mexico	1.8	8.5	7	5,200 (r)	41,600 (r)	2,300 (i)	4,600 (i)	2,300 (i)	
New York	4.3	7.875	5	6,500 (a)	12,500 (a)	0	0	1,000	
North Carolina	6.0	7.75	3	12,750 (s)	60,000 (s)	2,000	4,000	2,000	
North Dakota	2.67	12.0 (t)	8	3,000	50,000	2,300 (i)	4,600 (i)	2,300 (i)	★ (t)
Ohio	0.743	6.9	8	5,000	100,000	650 (u)	1,300 (u)	650 (u)	
Oklahoma	0.5	7.0 (v)	8	1,000	10,000	1,000	2,000	1,000	★ (v)
Oregon	5.0	9.0	3	2,000 (a)	5,000 (a)	98 (d)	196 (d)	98 (d)	★ (w)
Pennsylvania	3.1 (x)		1	Flat rate		None			
Rhode Island	27.5% Federal tax liability		. . .	. . .	. . .	. . .	. . .	. . .	
South Carolina (e)	2.5	7.0	6	2,120	10,350	2,300 (i)	4,600 (i)	2,300 (i)	
South Dakota	(b)								
Tennessee	(p)								
Texas	(b)								
Utah	2.55	7.2	6	750 (a)	3,750 (a)	1,725 (i)	3,450 (i)	1,725 (i)	★ (y)
Vermont	28%-34% Federal tax liability (z)		. . .	. . .	. . .	. . .	. . .	. . .	
Virginia	2.0	5.75	4	3,000	17,000	800	1,600	800	
Washington	(b)								
West Virginia	3.0	6.5	5	10,000 (a)	60,000 (a)	2,000	4,000	2,000	
Wisconsin	4.9	6.93 (aa)	3	7,500	15,000	0	0	50 (d)	
Wyoming	(b)								
Dist. of Columbia	6.0	9.5	3	10,000	20,000	1,370	2,740	1,370	-

STATE INDIVIDUAL INCOME TAXES—Continued

Source: The Federation of Tax Administrators (based on legislation enacted at 1991 sessions).

Note: This table excludes the following states' taxes: New Hampshire, taxes interest and dividends at 5%; Tennessee, taxes interest and dividends at 6%.

(a) For joint returns, the tax is twice the tax imposed on half the income.

(b) No state income tax.

(c) A special tax table is available for low-income taxpayers reducing their tax payments.

(d) Tax credits.

(e) Five states have statutory provision for automatic adjustment of tax brackets, personal exemption or standard deductions to the rate of inflation. Nebraska indexes the personal exemption amounts only.

(f) Combined personal exemptions and standard deduction. An additional tax credit is allowed ranging from 75% to 0% based on state adjusted gross income. Exemption amounts are phased out for higher income taxpayers until they are eliminated for households earning over $71,000.

(g) The tax brackets reported are for single individuals and married households filing jointly. For married households filing separately, the same rates apply to income brackets ranging from $500 to $5,000.

(h) For joint returns, the tax is twice the tax imposed on half the income. A $10 filing fee is charged for each return and a $15 credit is allowed for each exemption.

(i) These states allow personal exemption or standard deductions as provided in the Internal Revenue Code. Utah allows a personal exemption equal to three-fourths the federal exemptions.

(j) The tax brackets reported are for single individual and married households filing separately. For married household filing jointly, the rates range from 3.65% for income under $35,000 to 5.15% for income over this amount. Different rates and brackets apply to taxpayers deducting federal income tax payments.

(k) Combined personal exemption and standard deduction.

(l) A temporary surcharge of 5% to 10% is added for taxpayers earning over $75,000 in 1991 and 1992 tax years.

(m) A 12% tax rate applies to interest, dividends and capital gains.

(n) The tax brackets reported are for single individuals and married taxpayers filing separately. For married taxpayers filing jointly, the same rates apply to income brackets ranging from $19,910 to $79,120. An additional 0.5% tax is applied to certain income levels.

(o) The tax brackets reported are for single individuals. For married couples, the same rates apply to income brackets ranging from $3,000 to $45,000.

(p) State income tax is limited to dividends and interest income only.

(q) The tax brackets reported are for single individuals. A separate schedule is provided for married households filing jointly which ranges from 2% under $20,000 to 7% for income over $150,000.

(r) The tax brackets reported are for single individuals. For married individuals, the rate ranges from 2.4% under $8,000 to 8.5% over $64,000. Married households filing separately pay twice the tax imposed on half the income.

(s) The tax brackets reported are for single individuals. For married taxpayers, the same rates apply to income brackets ranging from $21,250 to $100,000.

(t) Taxpayers have the option of paying 14% of the adjusted federal income tax liability, without a deduction of federal taxes. And additional $300 personal exemption is allowed for joint returns or unmarried head of households.

(u) Taxpayers have the option of taking an additional deduction of $650 per exemption, or a $50 per exemption tax credit.

(v) The rate range reported is for single persons not deducting federal income tax. Married persons filing jointly have the same rate and brackets that are twice as wide. Separate schedules, with rates ranging from 0.5% to 10%, apply to taxpayers deducting federal income taxes.

(w) Limited to $3,000.

(x) Tax rate is scheduled to drop to 2.8% after July 1, 1992. No taxes are due on households with income under $7,000.

(y) One half of the federal income taxes are deductible.

(z) The rates include a temporary 3% and 6% tax on higher income taxpayers effective through the 1993 tax year. If Vermont tax liability for any taxable year exceeds that tax liability determinable under federal tax law in effect on January 1, 1990, the taxpayer will be entitled to a credit of 106% of the excess tax.

(aa) The tax brackets reported are for single individuals. For married taxpayers, the same rates apply to income brackets ranging from $10,000 to $20,000.

Table 6.24
STATE PERSONAL INCOME TAXES: FEDERAL STARTING POINTS

State or other jurisdiction	*Relation to Internal Revenue Code*	*Tax Base*
Alabama	. . .	. . .
Alaska	(a)	. . .
Arizona	1/1/91	Federal adjusted gross income
Arkansas	. . .	. . .
California	1/1/91	Federal adjusted gross income
Colorado	Current	Federal taxable income
Connecticut	. . .	Federal adjusted gross income
Delaware	Current	Federal adjusted gross income
Florida	(a)	. . .
Georgia	1/1/91	Federal adjusted gross income
Hawaii	12/31/90	Federal taxable income
Idaho	1/1/91	Federal taxable income
Illinois	Current	Federal adjusted gross income
Indiana	1/1/91	Federal adjusted gross income
Iowa	1/1/91	Federal adjusted gross income
Kansas	Current	Federal adjusted gross income
Kentucky	12/31/89	Federal adjusted gross income
Louisiana	Current	Federal adjusted gross income
Maine	Current	Federal adjusted gross income
Maryland	Current	Federal adjusted gross income
Massachusetts	1/1/88	Federal adjusted gross income
Michigan	Current (b)	Federal adjusted gross income
Minnesota	12/31/90	Federal taxable income
Mississippi	. . .	. . .
Missouri	Current	Federal adjusted gross income
Montana	Current	Federal adjusted gross income
Nebraska	Current	Federal adjusted gross income
Nevada	(a)	. . .
New Hampshire	(c)	. . .
New Jersey	. . .	. . .
New Mexico	Current	Federal adjusted gross income
New York	Current	Federal adjusted gross income
North Carolina	1/1/91	Federal taxable income
North Dakota	Current	Federal liability (d)
Ohio	Current	Federal adjusted gross income
Oklahoma	Current	Federal adjusted gross income
Oregon	1/1/91	Federal taxable income
Pennsylvania	. . .	. . .
Rhode Island	Current	Federal liability
South Carolina	12/31/90	Federal taxable income
South Dakota	(a)	. . .
Tennessee	(c)	. . .
Texas	(a)	. . .
Utah	Current	Federal taxable income
Vermont	Current (e)	Federal liability
Virginia	Current	Federal adjusted gross income
Washington	(a)	. . .
West Virginia	1/1/91	Federal adjusted gross income
Wisconsin	12/31/90	Federal adjusted gross income
Wyoming	(a)	. . .
Dist. of Columbia	11/5/91	Federal adjusted gross income

Source: The Federation of Tax Administrators, compiled from various sources.

Key:

. . . — State does not employ a federal starting point

Current — State has adopted Internal Revenue Code as currently in effect. Dates indicate state has adopted Internal Revenue Code as amended to that date.

(a) No state income tax.

(b) Or 1/1/87, taxpayer's option.

(c) On interest and dividends only.

(d) Or federal taxable income based on current Internal Revenue Code.

(e) Not to exceed tax computed using Internal Revenue Code as of 1/1/91.

Table 6.25
RANGE OF STATE CORPORATE INCOME TAX RATES
(As of January 1, 1992)

State or other jurisdiction	Tax rate (percent)	Tax brackets		Number of brackets	Tax rate (a) (percent) financial institution	Federal income tax deductible
		Lowest	Highest			
Alabama	5.0	Flat Rate		1	6.0	★
Alaska	1.0 - 9.4 (b)	10,000	90,000	10	1.0 - 9.4 (b)	. . .
Arizona	9.3 (c)	Flat Rate		1	9.3 (c)	. . .
Arkansas	1.0 - 6.5 (d)	3,000	100,000	6	1.0 - 6.5 (d)	. . .
California	9.3 (c,e)	Flat Rate		1	10.668 (c,e)	. . .
Colorado	5.0 - 5.3	50,000	50,000	2	5.0 - 5.3	. . .
Connecticut	12.65 (b,f)	Flat Rate		1	12.65 (b,f)	. . .
Delaware	8.7	Flat Rate		1	8.7 - 2.7 (g)	. . .
Florida	5.5 (h)	Flat Rate		1	5.5 (h)	. . .
Georgia	6.0	Flat Rate		1	6.0	. . .
Hawaii	4.4 - 6.4 (i)	25,000	100,000	3	11.7	. . .
Idaho	8.0 (c,j)	Flat Rate		1	8.0 (c,j)	. . .
Illinois	7.3 (k)	Flat Rate		1	7.3 (k)	. . .
Indiana	7.9	Flat Rate		1	7.9	. . .
Iowa	6.0 - 12.0 (l)	25,000	250,000	4	5.0	★ (l)
Kansas	4.5 (m)	Flat Rate		1	4.25 (m)	. . .
Kentucky	4.0 - 8.25	25,000	250,000	5	(a)	. . .
Louisiana	4.0 - 8.0	25,000	200,000	5	(a)	★
Maine	3.85 - 9.823 (n)	25,000	250,000	4	1.0	. . .
Maryland	7.0	Flat Rate		1	7.0	. . .
Massachusetts	9.5 (c,o)	Flat Rate		1	12.54 (c,o)	. . .
Michigan	(p)					
Minnesota	9.8 (q)	Flat Rate		1	9.8 (q)	. . .
Mississippi	3.0 - 5.0	5,000	10,000	3	(a)	. . .
Missouri	5.0 - 6.5	100,000	335,000	3	7.0	★
Montana	6.75 (c,r)	Flat Rate		1	6.75 (c,r)	. . .
Nebraska	5.58 - 7.81 (s)	50,000		2	(a)	. . .
Nevada	(t)					
New Hampshire	8 (u)	Flat Rate		1	8 (u)	. . .
New Jersey	9 (c,v)	Flat Rate		1	3 (c,v)	. . .
New Mexico	4.8 - 7.6	500,000	1 million	3	4.8 - 7.6	. . .
New York	9.0 (w)	Flat Rate		1	9.0 (w)	. . .
North Carolina	7.9825 (c,x)	Flat Rate		1	4.5 (c,x)	. . .
North Dakota	3.0 - 10.5 (c,y)	3,000	50,000	6	7.0 (c,y)	★
Ohio	5.1 - 8.9 (c,z)	50,000		2	(c,z)	. . .
Oklahoma	6.0	Flat Rate		1	6.0	. . .
Oregon	6.6 (c)	Flat Rate		1	6.6 (c)	. . .
Pennsylvania	12.3	Flat Rate		1	(a)	. . .
Rhode Island	9.99 (c,aa)	Flat Rate		1	8.0 (c,aa)	. . .
South Carolina	5.0	Flat Rate		1	4.5 (bb)	. . .
South Dakota	. . .	. . .		. . .	6.0 (c)	. . .
Tennessee	6.0 (c)	Flat Rate		1	6.0 (c)	. . .
Texas	(cc)					
Utah	5.0 (c)	Flat Rate		. . .	5.0 (c)	. . .
Vermont	5.5 - 8.25 (c)	10,000	250,000	4	5.5 - 8.25 (c)	. . .
Virginia	6.0	Flat Rate		1	6.0 (dd)	. . .
Washington	(t)					
West Virginia	9.30	Flat Rate		1	9.30	. . .
Wisconsin	7.9	Flat Rate		1	7.9	. . .
Wyoming	(t)					
Dist. of Columbia	10.0 (c,ee)	Flat Rate			10.0 (c,ee)	. . .

See footnotes at end of table.

RANGE OF STATE CORPORATE INCOME TAX RATES—Continued

Source: The Federation of Tax Administrators (based on legislation enacted at 1991 sessions).

Key:

★ — Yes

. . . — No

(a) Rates listed include the corporate tax rate applied to financial institutions or excise taxes based on income. Some states have other taxes based upon the value of deposits or shares.

(b) Alternative Minimum Tax equal to 18 percent of the federal tax.

(c) Several states have minimum taxes. Arizona, $50; California, $800; Connecticut, $250; Idaho, $20; Massachusetts $456; Montana, $50; (for small business corporations, $10) New Jersey, $25 (domestic corporations), $50 (foreign corporations); North Carolina, $10 (banks); North Dakota, $50; Ohio, $50; Oregon, $10; Rhode Island, $100 (banks); South Dakota $200 (banks); Tennessee, $10; Utah, $100; Vermont, $150; and District of Columbia, $100.

(d) Corporations earning over $100,000 are subject to a 6.5 percent flat tax on all income.

(e) Or 7 percent Alternative Minimum Tax. Banks and corporations electing a water's edge method of apportioning income must pay a tax of 0.3 percent of the sum of property, payroll, and sales in California.

(f) Includes a 10 percent surcharge. Or 3.1 mills per dollar of capital stock and surplus (maximum tax $500,000) or $100.

(g) The marginal rate decreases over 4 brackets ranging from $20 million to $30 million in taxable income. Building and loan associations are taxed at a flat 8.7 percent.

(h) Or 3.3 percent Alternative Minimum Tax. An exemption of $5,000 is allowed.

(i) Capital gains are taxed at 4 percent.

(j) An additional tax of $10 is imposed on each return.

(k) Includes a 2.5 percent personal property replacement tax and a 20 percent surcharge.

(l) Or 7.2 percent Alternative Minimum Tax. 50 percent of the federal income tax is deductible.

(m) Plus a surtax of 2.25 percent (2.125 percent for banks) taxable income in excess of $25,000.

(n) Or an Alternative Minimum Tax equal to 27 percent of the federal tax. Includes a 10 percent surcharge.

(o) Rate includes a 14 percent surtax, as does the following: an additional tax of $2.60 per $1,000 on taxable tangible property (or net worth allocable to state, for intangible property corporations).

(p) Michigan imposes a single business tax (sometimes described as a business activities tax or value added tax) of 2.3 percent on the sum of federal taxable income of the business, compensation paid to employees, dividends, interest, royalties paid and other items.

(q) Alternative Minimum Tax rate is 15 percent.

(r) A 7 percent tax on taxpayers using water's edge combination.

(s) An additional surcharge equal to 2 percent of the depreciation allowed is imposed.

(t) No state income tax.

(u) Business profits tax imposed on both corporations and unincorporated associations.

(v) Plus a 0.375 percent surcharge. The rate reported in the table is the business franchise tax rate; there is also a net worth tax at rates ranging from 0.2 to 2 mills. Corporations not subject to the franchise tax are subject to a 7.2 percent income tax. Banks other than savings institutions are subject to the franchise tax.

(w) For tax years beginning after June 30, 1990 through June 30, 1992, a 15 percent surcharge is applied. For tax years beginning after June 30, 1992 but before June 30, 1993, a 10 percent surcharge is applied. Or 1.78 (0.1 for banks) mills per dollar of capital up to $350,000; or 5 percent (3 percent for banks) of the minimum taxable income; or a minimum of $1,500 to $325 depending on payroll size ($250 plus 2.5 percent surtax for banks); if any of these is greater than the tax computed on net income. An additional tax of 0.9 mills per dollar of subsidiary capital is imposed on corporations.

(x) Includes a corporate income tax surcharge of 3 percent (will fall to 2 percent in 1993). Savings and loans are subject to the corporate income tax.

(y) The bank tax rate includes a 2 percent privilege tax.

(z) Or 5.82 mills time the value of the taxpayer's issued and outstanding share of stock. An additional litter tax is imposed equal to 0.11 percent on the first $25,000 of taxable income, 0.22 percent on income over $25,000; or 0.14 mills on net worth. Corporations manufacturing or selling litter stream products are subject to an additional 0.22 percent tax on income over $25,000 or 0.14 mills on net worth.

(aa) Or for business corporations the tax is 40 cents per $100 of net worth, if greater than the tax computed on net income. For banks, the alternative tax is $2.50 per $10,000 of capital stock.

(bb) Savings and loans are taxed at a 6 percent rate.

(cc) Texas imposes a Franchise tax of 0.25 percent of the taxable capital and 4.5 percent of the net earned surplus. Net earned surplus is federal taxable income apportioned to the state with various adjustments.

(dd) State and national banks subject to the state's franchise tax on net capital is exempt from the income tax.

(ee) A 5 percent surtax is also imposed.

Table 6.26
STATE SEVERANCE TAXES: 1991

State	*Title and application of tax* (a)	*Rate*
Alabama	Iron Ore Mining Tax	$.03/ton
	Forest Products Severance Tax	Varies by species and ultimate use
	Oil and Gas Conservation & Regulation of Production Tax	2% of gross value at point of production
	Oil and Gas Production Tax	8% of gross value at point of production; 4% of gross value at point of incremental production resulting from a qualified enhanced recovery project; 4% if wells produce 25 bbl. or less oil per day or 200,000 cu. ft. or less gas per day; 6% of gross value at point of production for certain on-shore and off-shore wells; 2% of gross value of occluded natural gas from coal seams at point of production for well's first five years
	Coal Severance Tax (b)	$.135/ton
	Coal and Lignite Severance Tax	$.20/ton in addition to Coal Severance Tax
Alaska	Fisheries Business Tax	3% to 5% of fish value based on type of fish
	Oil and Gas Production Tax	The greater of $ 60/bbl. for old crude oil ($.80 for all other) or 15% of gross value at production point (multiplied by economic limit factor); the greater of $.064/1,000 cu. ft. of gas or 10% of gross value at production point (multiplied by economic limit factor). Additional $.00125/bbl. of oil and $.00125/50,000 cu. ft. of gas (oil and gas conservation tax)
Arizona	Severance Tax (c)	2.5% of net severance base for mining, 1.5% of value for timbering
Arkansas	Natural Resources Severance Tax	Separate rate for each substance
	Oil and Gas Conservation Tax	Maximum 25 mills/bbl. of oil and 5 mills/1,000 cu. ft. of gas (d)
California	Oil and Gas Production Tax	Rate determined annually by Department of Conservation (e)
Colorado	Severance Tax (f)	Separate rate for each substance
	Oil and Gas Conservation Tax	Maximum 1.5 mills/$1 of market value at wellhead (g)
Florida	Oil, Gas and Sulfur Production Tax	8% of gross value for oil; additional 12.5% for escaped oil and $.128/mcf of gas produced and sold or used during the month. $2.39/long-ton produced or recovered sulfur. Wells producing less than 100 bbls./day or oil produced by tertiary methods are taxed at 5% of gross value at point of production
	Solid Minerals Tax (h)	5% of market value at point of severance, except $1.35/ton phosphate rock and $1.84/ton heavy minerals times the change in the producer price index
Georgia	Tax on Phosphates	$1/ton
Idaho	Ore Severance Tax	2% of net value
	Oil and Gas Production Tax	Maximum of 5 mills/bbl. of oil and 5 mills/50,000 cu. ft. of gas (d)
	Additional Oil and Gas Production Tax	2% of market value at site of production
Illinois	Timber Fee	4% of purchase price (i)
Indiana	Petroleum Production Tax (j)	1% of value
Kansas	Severance Tax (k)	8% of gross value of oil and gas; $1/ton of coal
	Oil and Gas Assessments	13.5 mills/bbl. crude oil or petroleum marketed or used; 4 mills/1,000 cu. ft. of gas produced, sold, marketed or used
	Mined-Land Conservation & Reclamation Tax	$50, plus per ton fee of between $.03 and $.10
Kentucky	Oil Production Tax	4.5% of market value
	Coal Severance Tax	4.5% of gross value
	Natural Resource Severance Tax (i)	4.5% of gross value, less transportation expenses
Louisiana	Natural Resources Severance Tax	Rate varies according to substance
Maine	Mining Excise Tax	The greater of a tax on facilities and equipment or a tax on gross proceeds
Maryland	Mine Reclamation Surcharge	$.09/ton (as per state authority) and $.06/ton (as per county authority) of coal removed by open-pit or strip method
	Coal and Gas Severance Taxes (m)	$.30/ton of surface-mined coal
Michigan	Gas and Oil Severance Tax	5% (gas), 6.6% (oil) and 4% (oil from stripper wells and marginal properties) of gross cash market value of the total production. Maximum additional fee of 1% of gross cash market value on all oil and gas produced in state in previous year
Minnesota	Taconite, Iron Sulphides and Agglomerate Taxes	$1.975/ton ($.05/ton for agglomerates)
	Semi-Taconite Tax	$.10/ton ($.05/ton if agglomerated or sintered in state), plus $.001/ton depending on percentage of iron content
	(n)	
Mississippi	Oil and Gas Severance Tax	6% of value at point of production; 3.5% of gross value of occluded natural gas from coal seams at point of production for well's first five years; also, maximum 30 mills/bbl. oil or 4 mills/1,000 cu ft. gas (Oil and Gas Board maintenance tax).
	Timber Severance Tax	Varies depending on type of wood and ultimate use
	Salt Severance Tax	3% of value of entire production in state
Missouri	Surface Coal Mining Permittee Assessment	$.45/ton for first 50,000 tons sold (shipped, or otherwise disposed of) in calendar year, and $.30/ton for next 50,000 tons. One-time assessment fee based on projected production for permittees filing full-cost bonds between 9/1/88 and 9/1/93. Maximum $125,000.

See footnotes at end of table.

STATE SEVERANCE TAXES—Continued

State	*Title and application of tax* (a)	*Rate*
Montana	Coal Severance Tax	Varies by quality of coal and type of mine
	Metalliferous Mines License Tax (o)	Progressive rate, taxed on amounts in excess of $250,000. For concentrate shipped to smelter, mill or reduction work, 1.81%. Gold, silver or any platinum group metal shipped to refinery, 1.61%
	Oil or Gas Producers' Severance Tax	5% of total gross value of petroleum and other mineral or crude oil (p), and 2.65% of total gross value of natural gas (license tax); maximum 0.2% of market value/bbl. of oil and of each 10,000 cu. ft. of gas (conservation tax) (d)
	Micaceous Minerals License Tax	$.05/ton
	Cement License Tax (q)	$.22/ton of cement, $.05/ton of cement, plaster, gypsum or gypsum products
	Mineral Mining Tax	$25 plus 0.5% of gross value over $5,000 $25 plus 0.4% of gross value for talc
Nebraska	Oil and Gas Severance Tax	3% of value of nonstripper oil and natural gas; 2% of value of stripper oil
	Oil and Gas Conservation Tax	Maximum 4 mills/$1 of value at wellhead
	Uranium Tax	2% of gross value over $5 million
Nevada	Net Proceeds of Mine Tax	Minimum 2%, maximum 5%. Based on ratio of net proceeds to gross proceeds of whole operation.
	Oil and Gas Conservation Tax	50 mills/bbl. of oil and 50 mills/50,000 cu. ft. of gas $50 for drilling each well
New Hampshire	Refined Petroleum Products Tax	0.1% of fair market value
New Mexico	Resources Excise Tax (r)	Varies according to substance
	Severance Tax (r)	Varies according to substance
	Oil and Gas Severance Tax	3.75% of value of oil, other liquid hydrocarbons and carbon dioxide
	Oil and Gas Privilege Tax	3.15% of value
	Natural Gas Processor's Tax	0.45% of value of products
	Oil and Gas Ad Valorem Production Tax	Varies
	Oil and Gas Conservation Tax (s)	Percentage varies (t)
North Carolina	Oil and Gas Conservation Tax	Maximum 5 mills/bbl. of oil and 0.5 mill/1,000 cu. ft. of gas (h)
	Primary Forest Product Assessment Tax	$.40 or $.50/1,000 board ft. and $.12 or $.20/cord depending on type of wood and use
North Dakota	Oil and Gas Gross Production Tax	5% of gross value at well
	Coal Severance Tax	$.75/ton plus $.02/ton (u)
	Oil Extraction Tax	6.5% of gross value at well (with exceptions due to price and date of well completion)
Ohio	Resource Severance Tax (v)	$.10/bbl. of oil; $.025/1,000 cu. ft. of gas; $.04/ton of salt; $.02/ton of sand, gravel, limestone and dolomite; $.07/ton of coal
Oklahoma	Oil, Gas and Mineral Gross Production Tax (w)	Separate rate for each substance
	Natural Gas and Casinghead Gas Conservation Excise Tax	$.07/1,000 cu. ft., less 7% of gross value of each 1,000 cu. ft. of gas
Oregon	Forest Products Harvest Tax	$.05/1,000 board ft. (privilege tax) (x); $.50/1,000 board ft. (harvest tax) (y)
	Oil and Gas Production Tax	6% of gross value at well
	Severance Tax on Eastern Oregon Timber	5% of immediate harvest value and additional severance tax on reforestation land
	Severance Tax on Western Oregon Timber	6.5% of value and additional severance tax on reforestation land except from July 1, 1991 through December 31, 1992
South Dakota	Precious Metals Severance Tax	2% of gross yield from sale of metals plus 8% on net profits or royalties from sale of precious metals
	Energy Minerals Severance Tax	4.5% of taxable value of any energy minerals
	Conservation Tax	2.4 mills of taxable value of any energy minerals
Tennessee	Oil and Gas Severance Tax	3% of sales price
	Coal Severance Tax (z)	$.20/ton
Texas	Natural Gas Production Tax	7.5% of market value
	Oil Production Tax	The greater of 4.6% of market value or $.046/bbl.
	Sulphur Production Tax	$1.03/long ton or fraction thereof
	Cement Production Tax	$.0275/100 lbs. or fraction thereof
	Oil Field Cleanup Regulatory Fees	5/16 of $.01/barrel; 1/13 of $.01/1000 cubic feet of gas (aa)
Utah	Metalliferous Minerals Tax	2.68% of gross value for metals
	Oil and Gas Tax	3% of the value of the well for the first $13 per barrel of oil, 5% from $13.01 and above; 3% of the value at the well for first $1.50/mef, 5% from $1.51 and above
	Oil and Gas Conservation Tax	2 mills/$1 of market value at wellhead
Virginia	Forest Products Tax	Varies by species and ultimate use
	Coal Surface Mining Reclamation Tax	Varies depending on balance of Coal Surface Mining Reclamation Fund
	Oil Severence Tax (bb)	0.5% of gross receipts from sale
Washington	Uranium and Thorium Milling Tax	$.05/lb.
	Enhanced Food Fish Tax	0.07% to 5% of value (depending on species) at point of landing
West Virginia	Natural Resource Severence Tax	Coal, 5% plus 0.35% for counties and municipalities. timber, 3.22% (cc)

See footnotes at end of table.

STATE SEVERANCE TAXES—Continued

State	*Title and application of tax* (a)	*Rate*
Wisconsin	Metalliferous Minerals Occupation Tax	Progressive net proceeds tax from 3% to 15%
Wyoming	Oil and Gas Production Tax	Maximum 0.8 mill/$1 of value at wellhead (h,dd)
	Mining Excise and Severance Taxes	Varies by substance from 1.5% to 3.34% of value; some additional excise taxes of 2% to 3%

Source: Commerce Clearing House, *State Tax Guide*.

(a) Application of tax is same as that of title unless otherwise indicated by a footnote.

(b) Tax scheduled to terminate upon the redemption of, and payment of all accrued interest on, bonds issued by the Alabama State Docks Department.

(c) Timber, metalliferous minerals.

(d) Actual rate set by administrative actions.

(e) For 1986, $.01673/bbl. of oil or per 10,000 cu. ft. of gas.

(f) Metallic minerals, coal, oil shale, oil and gas.

(g) Currently set at 1 mill.

(h) Clay, gravel, phosphate rock, lime, shells, stone, sand, heavy minerals and rare earths.

(i) Buyer deducts amount from payment to grower; amount forwarded to Department of Conservation.

(j) Petroleum, oil, gas and other hydrocarbons.

(k) Coal, salt, oil and gas.

(l) Coal and oil excepted.

(m) Limited to certain counties. Coal tax expires June 30, 1989.

(n) State also has two related taxes; Mining Occupation Tax and Proceeds Tax.

(o) Metals, precious and semi-precious stones and gems.

(p) Except 2.5 percent of gross value of incremental petroleum and other mineral or crude oil produced in tertiary recovery projects. Over $250,000 gross value to over $1 million.

(q) Cement and gypsum or allied products.

(r) Natural resources except oil, natural gas, liquid hydrocarbons or carbon dioxide.

(s) Oil, coal, gas, liquid hydrocarbons, geothermal energy, carbon dioxide and uranium.

(t) Currently, rate is .18 percent.

(u) Rate reduced by 50 percent if burned in cogeneration facility using renewable resources as fuel to generate at least 10 percent of its energy output.

(v) Oil, gas, coal, salt, limestone, dolomite, sand and gravel.

(w) Asphalt, oil, gas, uranium and metals.

(x) Additional $.25 for the fiscal years beginning July 1, 1991 and July 1, 1992.

(y) Additional $.26/1,000 board ft. ($.16 is part of privilege and $.10 is for administering State Forest Practices Act) on forest products harvested until July 1, 1989.

(z) Counties and municipalities also authorized to levy severence taxes on sand, gravel, sandstone, chert, and limestone and a privilege tax on nuclear materials.

(aa) Fees will not be collected when fund reaches $10 million, but will again be collected when fund falls below $6 million.

(bb) May be levied by counties and cities, until July 1, 1992.

(cc) Tax rates for other natural resources will vary each year until 1994, when they will be taxed at 5 percent of gross value.

(dd) Currently, rate is .2 mill/$1.

STATE TAX COLLECTIONS IN 1990

By Gerard T. Keffer

State tax collections totaled $300 billion in fiscal 1990, up 5.7 percent from the $284 billion collected in fiscal 1989. Of the states' $632 billion in total revenue for fiscal 1990, nearly 50 percent came from taxes. Major non-tax revenues included $118 billion in payments from the federal government, and $109 billion from insurance trust sources, mainly employee retirement contributions. However, only revenue data from state tax collections are presented in this article and the tables that follow. As in previous years, these fiscal 1990 state tax collections exceeded locally imposed collections of $196 billion.

The distribution of state tax collections by major tax category has remained fairly constant since 1980. From the period 1960-1980, a major realignment of tax revenue sources occurred, primarily because of an increase in the number of states collecting individual and corporate income taxes. In 1960, 33 states collected individual income taxes, and 37 states collected corporate net income taxes; by 1972, these numbers rose to 44 and 46, respectively. With two exceptions, those same states continue to collect individual and corporate income taxes today. (In 1980, Alaska repealed its individual income tax retroactively to January 1, 1979. Connecticut in 1991 adopted a broad-based tax on individual income; prior to that, individuals paid only a capital gains and dividends tax.) With the additional states, income tax's percentage of total tax collections nearly doubled from 1960 to 1980 (18.8 percent to 36.8 percent). As Table A reflects, this caused a relative decrease over the same period in sales and gross receipts taxes, license taxes and other taxes.

At $100 billion, general sales and gross receipts taxes were the largest source of state tax revenue, up 7 percent from 1989. Individual income taxes accounted for $96 billion, an increase of 8 percent. The combined yield from general sales and gross receipts taxes and individual income taxes accounted for nearly two-thirds of all state tax revenue in fiscal 1990. Corporate net income taxes decreased 9 percent to $22 billion.

Table A

Percent Distribution of State Tax Collections by Major Tax Category

Year	*Sales & Gross Receipts Taxes*	*Income Taxes*	*License Taxes*	*Other Taxes*
1960	58.3	18.8	13.8	9.1
1965	57.7	21.4	12.3	8.6
1970	56.8	27.0	9.6	6.6
1975	54.1	31.8	7.8	6.3
1980	49.4	36.8	6.3	7.5
1985	48.8	37.8	6.3	7.1
1986	49.3	37.7	6.5	6.5
1987	48.5	39.2	6.5	5.8
1988	49.3	38.5	6.4	5.8
1989	48.7	39.6	6.2	5.5
1990	48.9	39.2	6.3	5.6

Selective sales taxes totaled $47 billion, an increase of 5 percent since 1989. Motor fuel taxes climbed 7 percent, to $19 billion, the largest share of selective sales taxes. Increases in the motor fuel tax rate in 27 states during fiscal 1989 and 1990 contributed significantly to the overall rate of tax increase. Six states had rate increases in both years. And in eight states, the sale of motor fuel also is taxed under the general sales tax provisions: California, Florida, Hawaii, Illinois, Indiana, Michigan, New York and West Virginia.

Tobacco product taxes showed a 10 percent increase to $6 billion. Sixteen states increased the cigarette tax rate in either fiscal 1989 or 1990, offsetting any decline in consumption. Alcoholic beverage taxes registered a 2 percent growth and stood at $3 billion.

Severance taxes rose 13 percent to 5 billion in fiscal 1990 after declining for four of the

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previous five years (-4 percent in 1989; +7 percent in 1988; -34 percent in 1987; -16 percent in 1986; and -1 percent in 1985). During 1985-1987, the decline in severance tax revenues (mostly related to oil and gas) was so drastic that it resulted in an overall decrease in total tax revenues for Alaska, Louisiana, Oklahoma and Texas. Although still not fully recovered, these states' economies have benefitted greatly by the reversal of the slide in severance tax revenues.

Individual State Tax Collections

State taxes per capita reached a record high of $1,211 in 1990, with nine states having collected $10 billion or more in taxes. Table B shows their total tax dollar and per capita amounts. Taxes for those nine states were nearly $160 billion or 53 percent of the total. With collective populations of 129 million or 52 percent of the U.S. total, their per capita tax burden as a group was $1,201, about 1 percent below the national average of $1,211. Of this group, only New York ($1,591), California ($1,459), New Jersey ($1,350), and Michigan ($1,220) exceeded the national per capita tax average.

Table B

Selected States' Tax Collections: 1990

State	*Amount of Taxes ($ Millions)*	*Per Capita Amount (Dollars)*
California	$43,419	$1,459
New York	28,615	1,591
Texas	14,717	866
Florida	13,289	1,027
Pennsylvania	13,220	1,113
Illinois	12,891	1,128
Ohio	11,436	1,054
Michigan	11,343	1,220
New Jersey	10,434	1,350

Six states reported that 1990 state tax collections rose more than 10 percent over the previous year: Montana (17.8 percent), Nevada (16.7 percent), West Virginia (16.6 percent), Washington (14.0 percent), Georgia (11.5 percent), and Idaho (10.0 percent) (see Table 6.28). Nine states had increases of this magnitude between 1988 and 1989. Only Idaho and Nevada were in this category for both periods.

At the other end of the spectrum, five states experienced a decrease in 1990 tax collections — this compared to the two states that had tax revenue declines the previous year, and three states that suffered losses in 1988. No state had year-to-year tax revenue decreases in more than one of these three years. The five states affected in 1990 and their percentage changes are shown below: New Hampshire, −2.9%; Maine, −1.9%; New Jersey, −0.6%; Virginia, −0.3%; and Delaware, −0.1%.

A drop in corporate income tax revenues in all of these states was the primary reason for the decrease in their total tax collections. Maine, with a drop of 40 percent, and Delaware, with a decrease of 24 percent, showed the sharpest declines in corporate tax revenues.

Tax Burden

While all states rely on various types of selective sales taxes, five — Alaska, Delaware, Montana, New Hampshire and Oregon — do not levy a general sales tax. Seven — Alaska, Florida, Nevada, South Dakota, Texas, Washington and Wyoming — do not impose individual income taxes. And four — Nevada, Texas, Washington and Wyoming — exclude corporate net income from taxation. Therefore, the burden of taxation varies from state to state. Identifying the actual taxpayer is even more complicated in states with a high degree of tourism or "exported" severance taxes. Given those factors and variations in state versus local tax authority and responsibility for services, caution must be exercised in comparing per capita tax revenue and state rankings.

For example compared to a national overall tax per capita average of $1,211, Alaska still lead with $2,811 in 1990. Hawaii was second ($2,107) and Delaware, third ($1,696). However, a review of individual taxes paints a different picture. New York, which had the highest per capita personal income tax ($850 compared to an average $387), ranked 33rd in per capita general sales tax revenue. Tennessee with $21 had the lowest among states imposing personal income taxes.

Because states utilize a variety of revenue sources to support their programs, the reader should be cautious in drawing comparisons or conclusions without analyzing the state's overall economic and demographic changes.

Table 6.27
NATIONAL SUMMARY OF STATE GOVERNMENT TAX REVENUE, BY TYPE OF TAX: 1988 TO 1990

	Amount (in thousands of dollars)			*Percent change year-to-year*			
Tax source	*1990*	*1989*	*1988*	*1989 to 1990*	*1988 to 1989*	*Percent distribution, 1990*	*Per capita, 1990 (in dollars)*
Total collections	$300,245,165	$284,412,634	$246,500,689	5.6%	15.4%	100.0%	$1,212.45
Sales and gross receipts	146,873,877	138,569,077	119,361,068	6.0%	16.1%	48.9%	593.11
General sales	99,598,847	93,489,922	79,228,217	6.5%	18.0%	33.2%	402.20
Selective sales	47,275,030	45,079,155	40,132,851	4.9%	12.3%	15.7%	190.91
Motor fuels	19,371,029	18,105,711	15,707,472	7.0%	15.3%	6.5%	78.22
Public utilities	6,513,219	6,201,854	6,030,457	5.0%	2.8%	2.2%	26.30
Insurance	7,361,425	7,400,815	6,320,923	-0.5%	17.1%	2.5%	29.73
Tobacco products	5,508,205	5,053,660	4,590,665	9.0%	10.1%	1.8%	22.24
Alcoholic beverages	3,188,451	3,117,812	3,108,975	2.3%	0.3%	1.1%	12.88
Other	5,332,701	5,199,303	4,374,359	2.6%	18.9%	1.8%	21.53
Licenses	18,835,271	17,702,540	15,949,656	6.4%	11.0%	6.3%	76.06
Motor vehicles	9,849,985	9,391,730	8,348,997	4.9%	12.5%	3.3%	39.78
Corporations in general	3,097,021	3,006,003	3,091,400	3.0%	-2.8%	1.0%	12.51
Motor vehicle operators	826,340	793,755	718,070	4.1%	10.5%	0.3%	3.34
Hunting and fishing	792,876	772,838	675,782	2.6%	14.4%	0.3%	3.20
Alcoholic beverages	264,165	249,116	248,402	6.0%	0.3%	0.1%	1.07
Other	4,004,884	3,489,098	2,867,005	14.8%	21.7%	1.3%	16.17
Individual income	96,076,243	88,817,680	76,215,141	8.2%	16.5%	32.0%	387.98
Corporation net income	21,751,119	23,865,597	20,476,270	-8.9%	16.6%	7.2%	87.84
Severance	4,660,042	4,330,825	4,049,813	7.6%	6.9%	1.6%	18.82
Property	5,837,539	5,021,399	4,700,120	16.3%	6.8%	1.9%	23.57
Death and gift	3,823,535	3,485,608	3,040,140	9.7%	14.7%	1.3%	15.44
Other	2,387,539	2,535,204	2,708,481	-5.8%	-6.4%	0.8%	9.64

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Tax Collections: 1990.*

Note: Detail may not add to totals due to rounding. Population figures as of April 1, 1990 were used to calculate per capita amounts; see Table 6.32.

Table 6.28
SUMMARY OF STATE GOVERNMENT TAX REVENUE, BY STATE: 1988 TO 1990

State or other jurisdiction	Amount (in thousands of dollars)			Percent change year-to-year		Per capita, 1990 (in dollars)
	1990	1989	1988	1989 to 1990	1988 to 1989	
United States	$300,245,165	$284,412,634	$246,500,689	5.6%	15.4%	$1,212.45
Alabama	3,819,513	3,662,563	3,222,201	4.3%	13.7%	927.52
Alaska	1,546,441	1,410,330	1,062,391	9.7%	32.8%	2,934.42
Arizona	4,376,761	4,060,582	3,469,477	7.8%	17.0%	1,230.81
Arkansas	2,260,936	2,172,464	1,889,066	4.1%	15.0%	939.71
California	43,419,164	41,213,784	35,849,706	5.4%	15.0%	1,493.97
Colorado	3,069,428	2,903,821	2,545,879	5.7%	14.1%	925.36
Connecticut	5,268,014	4,808,456	4,280,758	9.6%	12.3%	1,626.43
Delaware	1,129,551	1,130,196	952,009	-0.1%	18.7%	1,678.38
Florida	13,289,492	12,455,553	9,846,235	6.7%	26.5%	1,048.81
Georgia	7,078,197	6,347,203	5,323,689	11.5%	19.2%	1,099.78
Hawaii	2,334,797	2,217,039	1,697,424	5.3%	30.6%	2,099.64
Idaho	1,138,748	1,035,025	829,698	10.0%	24.7%	1,123.03
Illinois	12,890,512	11,760,588	10,429,524	9.6%	12.8%	1,105.72
Indiana	6,101,619	5,902,572	4,787,287	3.4%	23.3%	1,090.94
Iowa	3,313,094	3,167,409	2,662,110	4.6%	19.0%	1,166.58
Kansas	2,668,998	2,496,343	2,085,635	6.9%	19.7%	1,062.08
Kentucky	4,260,691	4,072,935	3,521,861	4.6%	15.6%	1,143.20
Louisiana	4,086,693	3,969,193	3,469,209	3.0%	14.4%	932.61
Maine	1,560,869	1,590,423	1,288,480	-1.9%	23.4%	1,277.31
Maryland	6,450,139	6,195,976	5,187,566	4.1%	19.4%	1,374.12
Massachusetts	9,369,108	9,118,183	8,348,322	2.8%	9.2%	1,584.49
Michigan	11,343,403	11,124,073	9,822,155	2.0%	13.3%	1,223.27
Minnesota	6,819,254	6,400,520	5,546,422	6.5%	15.4%	1,566.56
Mississippi	2,395,876	2,277,058	1,943,388	5.2%	17.2%	914.11
Missouri	4,939,169	4,685,374	3,942,295	5.4%	18.8%	957.39
Montana	857,685	727,969	595,844	17.8%	22.2%	1,064.13
Nebraska	1,512,928	1,449,994	1,203,344	4.3%	20.5%	939.12
Nevada	1,339,882	1,356,233	1,131,312	-1.2%	19.9%	1,206.01
New Hampshire	595,299	613,232	578,488	-2.9%	6.0%	537.76
New Jersey	10,433,910	10,501,352	9,491,417	-0.6%	10.6%	1,348.75
New Mexico	2,014,040	1,892,961	1,601,736	6.4%	18.2%	1,318.09
New York	28,614,593	26,576,039	24,671,856	7.7%	7.7%	1,594.13
North Carolina	7,864,737	7,369,389	6,274,524	6.7%	17.4%	1,196.89
North Dakota	677,112	666,140	573,373	1.6%	16.2%	1,025.93
Ohio	11,436,367	10,807,392	9,302,275	5.8%	16.2%	1,048.53
Oklahoma	3,476,859	3,312,359	2,634,233	5.0%	25.7%	1,078.43
Oregon	2,785,890	2,586,262	2,235,073	7.7%	15.7%	987.90
Pennsylvania	13,219,655	12,692,593	11,378,764	4.2%	11.5%	1,097.98
Rhode Island	1,233,305	1,159,113	1,046,915	6.4%	10.7%	1,235.78
South Carolina	3,934,383	3,718,568	3,157,351	5.8%	17.8%	1,120.27
South Dakota	500,093	472,409	412,810	5.9%	14.4%	699.43
Tennessee	4,245,024	4,066,459	3,603,331	4.4%	12.9%	859.32
Texas	14,716,513	13,974,361	11,254,430	5.3%	24.2%	866.14
Utah	1,767,991	1,623,563	1,438,325	8.9%	12.9%	1,035.73
Vermont	665,743	634,459	572,980	4.9%	10.7%	1,174.15
Virginia	6,600,489	6,621,017	5,534,883	-0.3%	19.6%	1,082.40
Washington	7,423,096	6,510,602	5,639,369	14.0%	15.4%	1,559.15
West Virginia	2,229,745	1,912,859	1,860,023	16.6%	2.8%	1,200.72
Wisconsin	6,557,746	6,407,675	5,673,577	2.3%	12.9%	1,347.39
Wyoming	611,613	581,971	631,669	5.1%	-7.9%	1,287.61
Dist. of Columbia	2,310,313	2,243,115	1,914,884	3.0%	17.1%	3,825.02

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Tax Collections: 1990.*

Note: Detail may not add to totals due to rounding. Population figures as of April 1, 1990 were used to calculate per capita amounts; see Table 6.32.

Table 6.29
STATE GOVERNMENT TAX REVENUE, BY TYPE OF TAX: 1990
(In thousands of dollars)

State or other jurisdiction	*Total*	*Sales and gross receipts*	*Licenses*	*Individual income*	*Corporation net income*	*Severance*	*Property*	*Death and gift*	*Documentary and stock transfer*	*Other*
Number of states using tax	50	50	50	44	46	33	42	49	29	14
United States	$300,245,165	$146,873,877	$18,835,271	$96,076,243	$21,751,119	$4,660,042	$5,837,539	$3,823,535	$2,232,654	$154,885
Alabama	3,819,513	2,002,759	337,511	1,121,458	179,833	59,213	90,543	15,876	12,320	. . .
Alaska	1,546,441	90,904	75,504	. . .	185,140	1,103,812	89,841	1,063	. . .	177
Arizona	4,376,761	2,575,371	297,659	1,063,804	179,832	. . .	236,178	23,917	. . .	. . .
Arkansas	2,260,936	1,210,200	144,670	739,200	130,300	15,562	6,644	6,800	6,860	700
California	43,419,164	17,269,769	1,855,887	16,824,356	4,928,377	30,854	2,123,784	386,137	. . .	. . .
Colorado	3,069,428	1,336,600	214,871	1,341,695	123,357	14,402	7,389	21,306	. . .	9,808
Connecticut	5,268,014	3,474,743	285,269	610,438	679,726	. . .	12	158,227	59,599	. . .
Delaware	1,129,551	158,712	337,797	456,311	117,802	. . .	. . .	20,061	37,572	1,296
Florida	13,289,492	10,577,503	840,499	. . .	698,825	65,861	308,570	251,558	546,676	. . .
Georgia	7,078,197	3,453,785	194,538	2,867,914	478,218	. . .	24,692	27,616	16,716	14,718
Hawaii	2,334,797	1,484,118	36,413	695,097	94,750	. . .	. . .	16,329	8,090	. . .
Idaho	1,138,748	559,210	100,271	403,061	72,692	484	105	1,849	. . .	1,076
Illinois	12,890,512	6,468,302	834,056	4,288,408	939,149	. . .	229,444	105,697	25,456	. . .
Indiana	6,101,619	3,371,882	227,636	2,089,540	340,978	756	3,541	67,286	. . .	. . .
Iowa	3,313,094	1,471,464	301,777	1,271,689	199,558	. . .	. . .	65,119	3,487	. . .
Kansas	2,668,998	1,281,639	158,217	856,769	210,462	86,620	32,132	43,159	. . .	. . .
Kentucky	4,260,691	1,911,186	272,663	1,210,285	279,483	213,893	303,332	66,855	2,994	. . .
Louisiana	4,086,693	2,035,464	393,290	737,156	393,978	429,062	46,564	51,179	. . .	. . .
Maine	1,560,869	773,290	98,484	580,562	57,658	. . .	31,956	8,900	10,019	. . .
Maryland	6,450,139	2,712,026	237,200	2,864,409	292,552	. . .	170,107	81,560	71,478	20,807
Massachusetts	9,369,108	2,851,799	415,434	4,909,728	871,195	. . .	2,063	276,447	42,442	. . .
Michigan	11,343,403	4,414,223	674,269	3,927,004	1,815,601	45,570	325,512	124,402	. . .	16,822
Minnesota	6,819,254	2,965,764	459,874	2,876,636	481,854	2,076	7,762	25,250	38	. . .
Mississippi	2,395,876	1,568,582	146,256	430,391	119,985	45,558	74,393	10,711	. . .	. . .
Missouri	4,939,169	2,508,575	362,857	1,790,590	221,471	35	11,952	41,978	. . .	1,711
Montana	857,685	182,574	92,088	279,643	80,316	95,740	103,609	9,049	. . .	14,666
Nebraska	1,512,928	827,358	107,091	495,567	71,948	2,729	1,932	3,669	2,634	. . .
Nevada	1,339,882	1,161,172	156,895	. . .	. . .	386	15,838	5,591	. . .	. . .
New Hampshire	595,299	271,158	94,388	41,391	126,589	159	6,273	25,485	29,856	. . .
New Jersey	10,433,910	5,443,974	634,233	2,952,046	1,123,096	. . .	16,762	202,737	61,062	. . .
New Mexico	2,014,040	1,135,987	128,340	360,971	61,732	292,690	24,412	9,908	. . .	. . .
New York	28,614,593	9,368,008	918,160	15,289,156	1,885,429	. . .	. . .	525,597	628,243	. . .
North Carolina	7,864,737	3,192,321	485,763	3,390,390	612,388	1,540	99,342	82,993	. . .	. . .
North Dakota	677,112	380,497	60,230	105,687	46,762	79,576	2,129	2,231	. . .	. . .
Ohio	11,436,367	5,751,939	841,251	4,125,303	643,428	9,468	8,034	56,944	. . .	. . .
Oklahoma	3,476,859	1,540,705	362,550	1,000,883	95,920	395,292	. . .	67,178	4,522	9,809
Oregon	2,785,890	393,608	347,581	1,826,646	147,784	52,242	197	14,003	3,829	. . .
Pennsylvania	13,219,655	6,547,274	1,508,747	3,220,667	1,094,778	. . .	171,625	474,694	201,870	. . .
Rhode Island	1,233,305	644,509	56,091	426,583	68,828	. . .	9,626	23,051	4,558	59
South Carolina	3,934,383	2,136,604	207,693	1,380,180	150,926	. . .	9,559	35,356	14,065	. . .

STATE GOVERNMENT TAX REVENUE, BY TYPE OF TAX: 1990—Continued

State or other jurisdiction	*Total*	*Sales and gross receipts*	*Licenses*	*Individual income*	*Corporation net income*	*Severance*	*Property*	*Death and gift*	*Documentary and stock transfer*	*Other*
South Dakota	500,093	402,651	43,576	. . .	30,714	8,578	. . .	14,574	. . .	. . .
Tennessee	4,245,024	3,268,457	429,511	102,954	332,036	1,537	. . .	35,277	52,897	22,355
Texas	14,716,513	11,845,836	1,651,675	. . .	. . .	1,087,854	. . .	131,148	. . .	. . .
Utah	1,767,991	915,027	73,996	646,830	94,167	30,096	282	7,593	. . .	. . .
Vermont	665,743	321,034	52,784	250,904	27,128	. . .	348	3,067	7,989	2,489
Virginia	6,600,489	2,643,757	367,860	3,082,187	306,170	1,556	16,695	63,063	89,741	29,460
Washington	7,423,096	5,564,180	391,071	. . .	. . .	69,257	1,103,601	29,713	265,274	. . .
West Virginia	2,229,745	1,192,642	123,705	516,858	221,642	162,692	1,499	6,927	3,780	0
Wisconsin	6,557,746	2,997,869	334,392	2,624,896	436,562	868	43,437	92,203	18,587	8,932
Wyoming	611,613	216,866	62,698	. . .	. . .	254,024	75,823	2,202	. . .	. . .
Dist. of Columbia	2,310,313	674,396	40,849	637,910	140,041	. . .	727,175	23,497	66,445	. . .

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Tax Collections: 1990.*

Key:

. . . — Not applicable.

Table 6.32
FISCAL YEAR, POPULATION AND PERSONAL INCOME, BY STATE

State or other jurisdiction	Date of close of fiscal year in 1990	Total population (excluding armed forces overseas) (in thousands)		Personal income, calendar year 1989 (b)		State government portion of state-local tax revenue in fiscal 1988-89 (c) (percent)
		April 1, 1990 (a)	*July 1, 1989 (b)*	*Amount (in millions)*	*Per capita (in dollars)*	
United States	. . .	248,103	247,635	4,353,938	17,582	60.9%
Alabama	September 30	4,041	4,118	56,112	13,625	71.8%
Alaska	June 30	550	527	11,407	21,656	68.2%
Arizona	June 30	3,665	3,556	56,196	15,802	62.1%
Arkansas	June 30	2,351	2,406	31,035	12,901	75.8%
California	June 30	29,760	29,063	579,189	19,929	67.9%
Colorado	June 30	3,294	3,317	58,221	17,553	48.9%
Connecticut	June 30	3,287	3,239	79,936	24,683	59.3%
Delaware	June 30	666	673	12,437	18,483	83.5%
Florida	June 30	12,938	12,671	223,609	17,647	60.1%
Georgia	June 30	6,478	6,436	103,313	16,053	60.5%
Hawaii	June 30	1,108	1,112	20,543	18,472	82.5%
Idaho	June 30	1,007	1,014	13,898	13,707	71.4%
Illinois	June 30	11,431	11,658	219,448	18,824	54.0%
Indiana	June 30	5,544	5,593	88,251	15,779	66.6%
Iowa	June 30	2,777	2,840	43,978	15,487	63.3%
Kansas	June 30	2,478	2,513	41,454	16,498	57.8%
Kentucky	June 30	3,685	3,727	51,214	13,743	78.0%
Louisiana	June 30	4,220	4,382	56,615	12,921	63.8%
Maine	June 30	1,228	1,222	19,860	16,248	66.7%
Maryland	June 30	4,781	4,694	98,630	21,013	59.7%
Massachusetts	June 30	6,016	5,913	131,118	22,174	66.7%
Michigan	September 30	9,295	9,273	161,764	17,444	60.2%
Minnesota	June 30	4,375	4,353	76,861	17,657	68.0%
Mississippi	June 30	2,573	2,621	30,732	11,724	74.5%
Missouri	June 30	5,117	5,159	84,053	16,292	62.2%
Montana	June 30	799	806	11,342	14,078	57.9%
Nebraska	June 30	1,578	1,611	24,885	15,446	53.5%
Nevada	June 30	1,202	1,111	21,403	19,269	67.3%
New Hampshire	June 30	1,109	1,107	22,441	20,267	34.4%
New Jersey	June 30	7,730	7,736	183,943	23,778	55.8%
New Mexico	June 30	1,515	1,528	20,080	13,140	79.7%
New York	March 31	17,990	17,950	378,273	21,073	48.5%
North Carolina	June 30	6,629	6,571	99,863	15,198	71.3%
North Dakota	June 30	639	660	8,953	13,563	68.3%
Ohio	June 30	10,847	10,907	178,583	16,373	58.6%
Oklahoma	June 30	3,146	3,224	45,638	14,154	69.7%
Oregon	June 30	2,842	2,820	44,892	15,919	50.8%
Pennsylvania	June 30	11,882	12,040	207,916	17,269	60.5%
Rhode Island	June 30	1,003	998	17,919	17,950	61.1%
South Carolina	June 30	3,487	3,512	47,881	13,634	73.4%
South Dakota	June 30	696	715	9,784	13,685	49.5%
Tennessee	June 30	4,877	4,940	72,586	14,694	62.7%
Texas	August 31	16,987	16,991	266,794	15,702	52.6%
Utah	June 30	1,723	1,707	22,326	13,079	62.8%
Vermont	June 30	563	567	9,283	16,371	60.4%
Virginia	June 30	6,187	6,098	115,408	18,927	59.0%
Washington	June 30	4,867	4,761	84,011	17,647	71.6%
West Virginia	June 30	1,793	1,857	22,921	12,345	77.8%
Wisconsin	June 30	4,892	4,867	80,052	16,449	65.3%
Wyoming	June 30	454	475	6,884	14,508	60.8%
Dist. of Columbia	September 30	607	604	14,191	23,491	. . .

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Tax Collections: 1990.*

Note: Detail may not add to totals due to rounding.

Key:

. . . — Not applicable

(a) Represents resident U.S. population (50 states) as of Apr. 1, 1990, from the 1990 Decennial Census of Population and Housing.

(b) Bureau of the Census, *Current Population Reports*, Series P-25, January 1990.

(c) U.S. Department of Commerce, *Survey of Current Business*, August 1990.

(d) Bureau of the Census, *Government Finances: 1988-1989*, February 1991.

FEDERAL EXPENDITURES IN THE STATES AND OTHER U.S. JURISDICTIONS: FISCAL 1990

By David Kellerman

By its size alone, the federal government's influence on the states extends beyond matters of fiscal federalism or mandates. With an annual budget of $1.5 trillion, the federal government can be viewed as the nation's largest business enterprise. An employer of nearly 3 million civilians and more than 1 million active military personnel, its contractual agreements with private businesses approach $200 billion annually. The federal government is not merely a provider of goods and services; it is a major national economic activity.

As such, the distribution of federal dollars among the states is of great interest to public officials and citizens alike. Choices made in Washington about where to locate or close military bases, where to buy tanks or computer printers, or how to allocate grant monies, translate into jobs and disposable income for residents of a state or region. This essay and the tables that follow describe the patterns and trends associated with the geographic distribution of federal government expenditures.

Categories of Federal Spending

The U.S. Census Bureau has been tracking the geographic distribution of federal spending since 1981. For reasons largely associated with data collection procedures, the expenditure data shown in Table 6.33 are grouped into five broad categories:

- Grants to state and local governments
- Salaries and wages for federal employees (including the military)
- Direct payments for individuals
- Procurement
- Other direct expenditures (primarily research grants and agricultural subsidies).

Intentionally excluded from the data are international transactions and net interest payments on the federal debt. The latter, which totaled $184.2 billion in fiscal 1990, does not lend itself to a conceptual geographic breakdown.

The grants category is defined in accordance with the *Budget of the United States Government*. Its components are the many formula grant programs allocated among the states, some project-based grants (such as the program for Construction of Wastewater Treatment Facilities), and a variety of revenue sharing payments to the states (such as payments in lieu of taxes for land owned by the Tennessee Valley Authority). These programs are detailed more in Table 6.34.

Table 6.35 contains the distribution of federal payroll, with some detail shown for military and other defense-related personnel. Salaries data are distributed according to place of work; commuting patterns could result in a slightly different allocation in some instances, if they were to be taken into account.

Table 6.36 displays the distribution pattern for direct payment programs,which represent the largest category of federal expenditures. Included here are the Social Security programs, Medicare, food stamps, veterans benefits and other payments for individuals.

The procurement data in Table 6.37 represent the federal government's contractual purchases of goods or services. The distribution is based upon prime contractor place of performance. Unfortunately, no data are available on subcontracting and its redistribution effect. The table covering all other direct fed-

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eral expenditures is Table 6.38, which contains data for agricultural programs (subsidies), research grants and other program areas not classified elsewhere.

The data in Table 6.39 represent the value of federally guaranteed loans, direct loans made or insurance liability. These do not necessarily equate to federal expenditures for the programs shown.

Is Federal Spending Equally Distributed?

The Census Bureau data on federal expenditures are compiled and presented in absolute dollars, as well as per capita amounts and percentage distributions among the states. The tables following this essay contain the absolute dollar amounts for federal fiscal 1990 (October 1, 1989, to September 30, 1990).

In one sense, the data are remarkable in that they show the federal government spending large amounts of money for each category in every state area. This pattern is more evident in the per capita statistics. For 1990, 46 of the states had federal expenditures within $1,000 per capita of the national amount of $3,974, and 28 states were within $500 of that amount. The distribution, on a per capita basis, was rather equitable.

Overall, the federal government spent more money in California ($116 billion) than any other state during 1990. New York ($70 billion), Texas ($58 billion), Florida ($51 billion) and Pennsylvania ($45 billion) rounded out the top five states in terms of absolute dollars. That these states were at the top should not be a surprise, since much federal spending is directly related to population.

Yet the state distribution also varied among the different types of federal expenditures. New York, not California, was the destination of most federal grant dollars, despite California's greater population. New York state had a higher level of participation in the Medicaid program than California, and Medicaid alone accounted for more than $50 billion in annual federal grant expenditures (or about one-third of the grant total).

The state distribution of procurement dollars, direct benefit payments for individuals, salaries for civilian and military employees, and other direct spending also exhibited patterns that reflected the influence of a variety of factors. That will be discussed in more detail later in this essay.

Federal expenditure patterns differed when viewed on a per capita basis and were more equitable in appearance, as previously mentioned. The five states in which per capita federal expenditures were the highest differ completely from those in which total dollars spent were the highest. On a per capita basis, federal government expenditures were highest in Virginia ($5,874), followed by Alaska ($5,867), New Mexico ($5,703), Maryland ($5,671) and Massachusetts ($4,949). In those states, there are either significant federal installations, a sizeable federal work force relative to overall employment, a major industry with sizeable federal contracts or some combination of these factors.

Virginia's naval facilities, ship-related industries and proximity to the District of Columbia make the federal government a major economic force in that state. Alaska has large amounts of federally owned land and a sizeable military presence in relation to its private-sector economic activity. Massachusetts, on the other hand, contains numerous Defense Department contractors and during the latter part of the 1980s, benefited from the defense buildup, generally, and the Strategic Defense Initiative, in particular.

At the opposite end, for 1990, those states with the smallest amount of per capita federal expenditures were North Carolina ($3,043), Indiana ($3,051), Wisconsin ($3,052), Vermont ($3,140) and Michigan ($3,142).

Factors Affecting the Geographic Distribution

Benefits accruing from federal expenditures should not be measured purely in terms of dollars spent in one state or another. Public goods and services provide, at the first level, intangible benefits for all citizens in the long term. Such is the case for spending on national defense, space exploration, education, and so forth.

There is, however, the reality of economics that leads people to look at any activity in terms of its measurable contribution to an area's well-being. Such is the case with the federal government and its budgeted spending of much more than $1 trillion annually.

There is a small amount of flexibility in the geographic distribution pattern of federal expenditures, but it is limited, especially in the short term. Decisions about major shifts in spending, whether locational or programmatic, must be agreed upon in the political arena, and this usually results in a series of compromises. Military base closings are a good example. The issue of what to close is a sensitive one, with efforts made to keep efficiency and national need as the basis for the decisions.

It is no accident that so many of the federal grant programs contain not only complicated allocation formulae, but also "floors" or "ceilings" that prescribe limits on benefits lost or gained. For this reason, grant spending is very equitably distributed among the states on a per capita basis.

In addition to the politics of compromise, two other factors that affect the distribution are demographics and geography. Demographics includes population, usually (but not always) positively related to federal spending in an area. It also includes population composition. Florida, with a heavy concentration of retirees, has the highest per capita federal expenditures for the Social Security programs, for example.

Geography is a more straightforward factor. Major naval facilities could not be put in Kansas, for example, nor would surplus wheat storage silos be located in Florida. Geography also affects private contractors, a factor important in the distribution of procurement dollars.

Overall, the distribution of federal expenditures is a complex issue involving procurement choices, political compromises, geography and demographics, in addition to the basic element of national need for any given program or activity.

Recent Trends

Shifts in geographic federal expenditure patterns occurred during the 1980s, but only on a moderate scale. The category of federal spending that changes most frequently, in level and trend, is procurement. About 70 percent of this category has been defense-related throughout the 1980s, but even non-defense procurement can shift considerably.

At least part of the geographic shifting that occurs for procurement is attributable to the statistical nature of the data. The procurement amounts represent contract actions during the year. Since some contract actions can cover multiple years, a state with large federal procurement in one year can have an off year immediately thereafter, only to show a significant dollar increase when the contract cycle repeats itself. Such is the case for federal contracts in Kentucky associated with the purchase of coal by the Tennessee Valley Authority, for example.

Expenditures for grants and direct benefit payment programs, on the other hand, were more stable during the 1980s and changed only gradually in response to demographic drifts.

Through the 1990s, there could be more significant shifts in the distribution pattern of federal spending. The most important issue will be shifting federal budget priorities. Reductions in defense spending, in both relative and possibly absolute dollars, will significantly affect the distribution of federal payrolls and procurement. Decisions about military base closures will be watched closely by senators, representatives and public officials from the targeted areas. Decisions about weapons systems, ships, submarines and military aircraft will be equally monitored. Such is the nature of federal spending when disaggregated into geographic components rather than program or need-based components.

References:

Readers interested in additional data about the geographic distribution of federal government funds should consult the annual Census Bureau publication *Federal Expenditures By State*, from which the accompanying tables were extracted. Additional geographic detail is available in the annual *Consolidated Federal Funds Report* series, also from the Census Bureau.

Table 6.33
SUMMARY DISTRIBUTION OF FEDERAL FUNDS, BY STATE AND TERRITORY: FISCAL YEAR 1990
(In millions of dollars)

State or other jurisdiction	*Total*	*Grants to state and local governments*	*Salaries and wages*	*Direct payments for individuals*	*Procurement*	*Other programs*
United States (a)	$1,002,703	$134,457	$146,095	$497,696	$188,531	$35,925
Alabama	17,261	2,101	2,756	8,589	3,388	426
Alaska	3,227	717	1,237	612	529	132
Arizona	15,072	1,620	2,047	7,382	3,667	357
Arkansas	8,250	1,250	930	5,286	391	393
California	115,802	13,932	17,746	51,448	29,500	3,177
Colorado	14,586	1,429	2,757	5,687	4,043	669
Connecticut	14,739	1,973	1,267	6,466	4,443	589
Delaware	2,149	313	384	1,269	138	44
Florida	51,359	4,576	6,596	32,882	6,616	689
Georgia	21,149	3,136	4,427	10,839	2,228	520
Hawaii	5,461	598	2,166	2,034	547	115
Idaho	3,888	569	508	1,803	862	146
Illinois	36,696	5,280	4,755	22,687	2,601	1,372
Indiana	16,915	2,423	1,800	10,024	1,971	696
Iowa	9,962	1,289	733	5,704	700	1,535
Kansas	9,538	1,021	1,465	5,063	1,131	858
Kentucky	13,524	2,044	1,918	7,267	2,010	284
Louisiana	15,116	2,658	1,863	7,667	2,384	544
Maine	4,925	762	561	2,566	942	94
Maryland	27,118	2,350	6,101	9,816	6,694	2,158
Massachusetts	29,778	3,857	2,647	13,253	8,808	1,212
Michigan	29,205	4,751	2,432	19,671	1,698	652
Minnesota	15,073	2,366	1,348	7,544	2,078	1,736
Mississippi	10,066	1,595	1,288	5,253	1,616	314
Missouri	24,258	2,177	2,858	10,791	6,961	1,472
Montana	3,345	591	523	1,644	167	421
Nebraska	6,092	779	953	3,146	426	787
Nevada	4,144	442	646	2,176	829	50
New Hampshire	3,559	427	692	1,925	430	84
New Jersey	28,322	3,977	3,396	16,271	4,307	371
New Mexico	8,640	959	1,358	2,852	3,256	214
New York	70,493	15,761	6,423	37,595	8,621	2,092
North Carolina	20,172	2,942	3,564	11,540	1,592	533
North Dakota	2,910	471	511	1,277	164	488
Ohio	37,920	5,388	3,922	21,785	6,038	788
Oklahoma	11,804	1,568	2,281	6,529	873	553
Oregon	9,826	1,708	1,186	5,960	649	324
Pennsylvania	45,424	6,125	5,142	28,815	4,153	1,189
Rhode Island	4,318	773	558	2,291	600	96
South Carolina	13,664	1,892	2,407	6,197	2,664	505
South Dakota	2,863	511	503	1,385	119	345
Tennessee	18,049	2,717	2,225	9,470	3,308	329
Texas	58,237	6,889	9,060	28,862	11,203	2,224
Utah	6,511	838	1,427	2,490	1,543	212
Vermont	1,772	377	210	1,025	107	53
Virginia	36,346	2,237	10,303	12,525	10,168	1,114
Washington	20,149	2,568	3,584	9,328	3,943	727
West Virginia	6,609	1,009	600	4,472	325	203
Wisconsin	14,928	2,538	1,197	9,374	1,263	555
Wyoming	1,855	568	315	770	146	56
Dist. of Columbia	17,353	1,718	9,439	1,961	2,936	1,300
American Samoa	103	79	3	15	6	. . .
Guam	895	100	370	83	337	4
No. Mariana Islands	68	62	3	4	. . .	. . .
Puerto Rico	7,699	3,082	516	3,488	521	93
U.S. Virgin Islands	527	273	41	95	111	7

Source: U.S. Department of Commerce, Bureau of the Census, *Federal Expenditures by State for Fiscal Year 1990.*

Note: Detail may not add to totals due to rounding. For additional information on categories and distributions shown, see footnotes to Tables 6.34 through 6.38.

Key:

. . . — Represents zero or rounds to zero.

(a) Includes undistributed monies: $302 million for grants to state and local governments, $150 million for salaries and wages, $745 million for direct payments to individuals, $267 million for procurement, and $24 million for other programs.

Table 6.34
FEDERAL GOVERNMENT GRANTS TO STATE AND LOCAL GOVERNMENTS BY AGENCY AND FOR SELECTED PROGRAMS, BY STATE AND TERRITORY: FISCAL YEAR 1990
(In thousands of dollars)

State or other jurisdiction	*Total*	*Child nutrition programs*	*Food stamp administration* (a)	*Special supplemental food program (WIC)*	*Special milk program*	*State and private forestry*	*Economic development administration*	*Corporation for public broadcasting*	*National Guard centers —construction*
United States (c)	$134,456,902	$4,811,747	$2,230,286	$2,111,431	$17,805	$50,703	$156,332	$237,831	$170,088
Alabama	2,100,764	115,199	27,681	40,900	36	2,499	4,715	1,406	5,747
Alaska	716,528	12,962	5,289	6,190	8	272	2,936	3,566	14,176
Arizona	1,619,580	75,839	20,857	36,760	180	345	2,462	2,341	1,480
Arkansas	1,250,057	60,976	12,986	27,943	32	1,223	4,215	951	2,409
California	13,932,372	567,098	159,982	193,289	914	421	7,916	20,977	1,218
Colorado	1,429,301	54,829	10,791	21,434	70	550	1,349	3,148	511
Connecticut	1,972,950	39,894	6,488	29,720	625	83	1,963	1,775	1,972
Delaware	313,354	13,157	2,930	5,089	. . .	479	40	. . .	309
Florida	4,576,009	238,594	45,107	84,949	118	2,613	1,240	8,329	2,676
Georgia	3,135,659	153,098	42,738	65,794	30	3,514	5,503	2,199	859
Hawaii	598,470	21,747	4,029	10,945	9	. . .	335	1,009	1,343
Idaho	569,276	18,617	3,463	10,733	146	4,426	4,138	1,186	5,322
Illinois	5,280,266	186,510	47,848	84,580	2,547	422	-892	7,762	2,994
Indiana	2,422,872	75,421	22,620	38,043	327	387	2,930	3,860	2,711
Iowa	1,288,989	47,216	9,533	21,164	247	297	2,359	2,398	5,783
Kansas	1,021,230	56,578	7,675	17,789	321	357	1,419	1,984	3,335
Kentucky	2,044,457	89,892	24,379	40,390	272	743	4,717	2,802	1,290
Louisiana	2,657,516	152,844	24,545	57,819	81	1,340	2,026	2,343	678
Maine	762,109	20,515	4,582	10,891	207	539	1,542	1,599	499
Maryland	2,349,785	65,697	19,881	26,449	377	2,265	1,080	3,721	304
Massachusetts	3,857,344	83,272	32,913	33,612	533	348	592	24,835	158
Michigan	4,751,226	129,296	43,132	70,703	1,426	1,192	2,168	5,971	3,341
Minnesota	2,366,416	91,511	18,435	31,772	752	3,139	3,043	6,347	8,107
Mississippi	1,595,004	119,531	16,519	40,923	16	880	5,039	921	13,217
Missouri	2,177,027	85,537	20,386	43,520	545	758	2,681	3,090	4,366
Montana	591,096	16,591	6,581	7,831	61	451	526	534	2,797
Nebraska	779,406	32,262	4,125	11,882	245	305	542	2,760	534
Nevada	442,384	12,049	3,427	7,749	67	275	764	1,216	1,171
New Hampshire	427,367	9,385	2,158	7,681	193	393	86	863	302
New Jersey	3,976,755	90,264	37,644	45,046	971	1,092	715	1,830	6,258
New Mexico	958,997	53,163	9,226	17,715	28	303	1,262	1,673	3,448
New York	15,761,356	289,087	128,806	165,965	1,477	505	9,516	33,162	7,826
North Carolina	2,942,227	141,605	27,360	65,598	148	1,617	3,378	2,811	1,221
North Dakota	470,674	17,056	2,964	7,516	66	219	2,563	1,192	4,840
Ohio	5,387,549	161,090	40,098	86,882	1,079	48	6,833	7,537	6,215
Oklahoma	1,567,525	70,575	16,994	32,471	131	621	4,620	1,529	1,916
Oregon	1,708,135	42,286	18,232	21,798	262	714	1,840	2,175	1,194
Pennsylvania	6,124,865	154,914	76,832	79,267	799	549	6,128	15,144	649
Rhode Island	772,571	12,340	6,770	8,395	112	83	110	636	1
South Carolina	1,891,512	86,122	19,165	40,749	. . .	1,054	7,570	4,281	3,930
South Dakota	511,103	19,183	3,064	9,457	57	708	1,014	1,345	1,225
Tennessee	2,716,606	105,667	26,706	41,368	. . .	945	3,328	3,889	2,390
Texas	6,888,522	454,240	102,320	149,360	99	2,447	14,258	7,445	4,941
Utah	838,463	38,424	7,552	21,002	50	218	961	2,131	1,232
Vermont	376,840	8,248	6,219	6,753	206	247	394	856	3,530
Virginia	2,236,501	73,641	24,462	40,806	111	4,383	3,670	7,685	9,658
Washington	2,567,777	74,240	61,219	28,324	302	1,195	1,382	4,153	2,561
West Virginia	1,008,506	43,788	4,991	18,371	28	1,983	3,304	1,686	6,018
Wisconsin	2,538,316	63,420	15,946	31,835	1,453	685	5,146	4,578	2,442
Wyoming	568.153	9,048	2,317	4,870	19	285	322	439	562
Dist. of Columbia	1,718,018	14,517	5,364	6,783	18	20	5,127	9,561	1,338
American Samoa	79,239	4,075	. . .	. . .	. . .	. . .	618	360	. . .
Guam	99,825	2,563	821	2,102	. . .	. . .	44	288	53
No. Marianas Islands	61,546	4,352	1,430	. . .	. . .	. . .	1,028	. . .	. . .
Puerto Rico	3,081,712	127,838	931,131	87,567	. . .	218	2,940	1,164	2,973
U.S. Virgin Islands	272,902	3,726	1,573	4,888	1	49	141	387	4,057

See footnotes at end of table.

Table 6.30
STATE GOVERNMENT SALES AND GROSS RECEIPTS TAX REVENUE: 1990
(In thousands of dollars)

State or other jurisdiction	Total	General sales or gross receipts	*Selective sales and gross receipts*								
			Total	Motor fuels	Public utilities	Tobacco products	Insurance	Alcoholic beverages	Parimutuels	Amusements	Other
Number of states using tax	50	45	50	50	40	50	50	50	31	25	36
All states	$146,873,877	$99,598,847	$47,275,030	$19,371,029	$6,513,219	$5,508,205	$7,361,425	$3,188,451	$658,245	$582,835	$4,091,621
Alabama	2,002,759	1,037,821	964,938	294,293	271,209	68,983	147,526	107,061	4,852	62	70,952
Alaska	90,904	. . .	90,904	41,500	2,068	10,950	22,691	12,035	. . .	1,602	58
Arizona	2,575,371	1,917,689	657,682	333,351	98,517	46,942	128,510	40,305	9,256	801	. . .
Arkansas	1,210,200	839,400	370,800	218,700	. . .	61,500	46,900	24,600	19,100	0	. . .
California	17,269,769	13,626,773	3,642,996	1,359,407	39,349	781,225	1,170,831	128,319	136,202	. . .	27,663
Colorado	1,336,600	825,275	511,325	324,765	4,328	59,721	83,920	20,837	8,294	884	8,576
Connecticut	3,474,743	2,443,398	1,031,345	308,276	276,300	118,826	170,163	46,610	59,464	19,846	31,860
Delaware	158,712	. . .	158,712	63,569	18,358	11,659	32,065	4,931	110	. . .	28,020
Florida	10,577,503	8,191,414	2,386,089	776,189	290,017	327,795	322,915	463,006	102,662	2,491	101,014
Georgia	3,453,785	2,638,664	815,121	441,052	. . .	87,323	169,905	116,841	. . .	. . .	. . .
Hawaii	1,484,118	1,176,687	307,431	53,203	69,649	23,495	38,261	40,336	. . .	. . .	82,487
Idaho	559,210	383,088	176,122	107,945	1,677	14,558	35,630	12,481	1,423	. . .	2,408
Illinois	6,468,302	4,076,915	2,391,387	916,406	760,814	321,278	166,758	63,528	45,140	8,439	109,024
Indiana	3,371,882	2,551,464	820,418	565,265	. . .	112,740	107,516	34,850	. . .	47	. . .
Iowa	1,471,464	943,565	527,899	334,285	. . .	85,226	86,976	12,599	8,813	. . .	. . .
Kansas	1,281,639	872,604	409,035	224,420	450	55,985	70,313	49,988	. . .	815	7,064
Kentucky	1,911,186	1,087,582	823,604	360,127	. . .	13,898	187,573	50,221	11,124	309	200,352
Louisiana	2,035,464	1,262,887	772,577	399,287	35,512	68,227	176,082	42,591	22,550	1,409	26,919
Maine	773,290	508,980	264,310	137,650	525	43,013	47,217	34,438	1,467	. . .	. . .
Maryland	2,712,026	1,571,866	1,140,160	449,731	112,391	59,789	141,741	26,453	3,022	1,379	345,654
Massachusetts	2,851,799	1,956,467	895,332	301,954	. . .	150,769	273,014	71,624	31,749	9,596	56,626
Michigan	4,414,223	3,187,651	1,226,572	739,712	. . .	255,339	78,647	121,943	20,627	. . .	10,304
Minnesota	2,965,764	1,869,521	1,096,243	461,339	44,432	153,014	122,486	55,824	2,090	. . .	257,058
Mississippi	1,568,582	1,088,620	479,962	308,101	. . .	50,903	87,813	33,114	. . .	31	. . .
Missouri	2,508,575	1,898,837	609,738	355,094	65	78,330	152,534	23,715	. . .	. . .	. . .
Montana	182,574	. . .	182,574	112,052	11,308	12,460	26,430	13,239	156	. . .	6,929
Nebraska	827,358	508,047	319,311	209,278	2,452	38,284	34,141	16,118	701	7,212	11,125
Nevada	1,161,172	698,910	462,262	103,885	3,678	15,673	45,065	11,899	. . .	277,557	4,505
New Hampshire	271,158	. . .	271,158	81,148	8,194	38,142	36,450	11,526	10,350	1,509	83,839
New Jersey	5,443,974	3,291,359	2,152,615	413,722	1,054,183	202,596	172,709	53,402	7,944	228,784	19,275
New Mexico	1,135,987	835,989	299,998	164,556	5,455	17,793	44,784	17,057	837	19	49,497
New York	9,368,008	6,002,896	3,365,112	543,548	1,092,451	543,346	699,529	190,431	78,414	813	216,580
North Carolina	3,192,321	1,772,911	1,419,410	793,490	252,817	15,315	178,219	150,582	. . .	. . .	28,987
North Dakota	380,497	230,973	149,524	67,007	11,489	15,184	17,848	5,469	. . .	4,922	27,605
Ohio	5,751,939	3,589,092	2,162,847	970,933	637,335	219,302	255,149	66,486	13,642	. . .	. . .
Oklahoma	1,540,705	844,475	696,230	330,960	13,463	72,904	98,842	54,333	8,331	14	117,383
Oregon	393,608	. . .	393,608	235,870	7,282	77,825	56,859	10,819	4,881	72	. . .
Pennsylvania	6,547,274	4,224,983	2,322,291	745,253	556,447	216,852	352,261	139,989	9,145	468	301,876
Rhode Island	644,509	397,426	247,083	72,997	72,554	38,489	37,167	10,834	12,153	156	2,733
South Carolina	2,136,604	1,447,851	688,753	358,234	33,422	29,540	94,199	113,718	. . .	12,768	46,872

STATE GOVERNMENT SALES AND GROSS RECEIPTS TAX REVENUE: 1990—Continued

State or other jurisdiction	*Total*	*General sales or gross receipts*	*Selective sales and gross receipts*								
			Total	*Motor fuels*	*Public utilities*	*Tobacco products*	*Insurance*	*Alcoholic beverages*	*Parimutuels*	*Amusements*	*Other*
South Dakota	402,651	249,691	152,960	80,182	1,117	13,518	24,972	9,297	608	. . .	23,266
Tennessee	3,268,457	2,343,908	924,549	630,090	6,628	80,187	133,312	62,994	. . .	. . .	11,338
Texas	11,845,836	7,625,401	4,220,435	1,515,453	198,071	431,579	524,901	335,170	. . .	23	1,215,238
Utah	915,027	707,114	207,913	132,475	4,616	22,252	32,364	16,206	. . .	. . .	. . .
Vermont	321,034	136,029	185,005	53,578	11,226	12,031	17,473	14,213	197	. . .	76,287
Virginia	2,643,757	1,353,076	1,290,681	621,914	100,657	16,251	178,619	83,607	. . .	90	289,543
Washington	5,564,180	4,470,930	1,093,250	483,546	166,810	138,659	92,701	113,318	10,449	39	87,728
West Virginia	1,192,642	764,523	428,119	208,625	9,972	32,358	52,068	8,572	11,517	31	104,976
Wisconsin	2,997,869	1,983,828	1,014,041	529,159	225,931	140,799	76,882	39,797	826	647	. . .
Wyoming	216,866	162,267	54,599	37,453	. . .	5,378	10,494	1,125	149	. . .	. . .
Dist. of Columbia	674,396	466,557	207,839	30,207	93,757	9,178	33,816	6,136	. . .	. . .	34,745

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Tax Collections: 1990.*

Key:

. . . — Not applicable.

Table 6.31
STATE GOVERNMENT LICENSE TAX REVENUE: 1990
(In thousands of dollars)

State or other jurisdiction	*Total*	*Motor vehicle*	*Motor vehicle operators*	*Corporations in general*	*Occupations and businesses, n.e.c.*	*Hunting and fishing*	*Alcoholic beverages*	*Public utilities*	*Amusements*	*Other*
Number of states using tax	50	50	49	49	50	50	48	31	35	48
All states	$18,835,271	$9,849,985	$826,340	$3,097,021	$3,342,385	$792,876	$264,165	$267,753	$185,507	$209,239
Alabama	337,511	126,625	10,227	101,294	82,656	12,773	2,221	1,715	. . .	. . .
Alaska	75,504	20,147	650	881	37,795	14,307	1,542	. . .	182	0
Arizona	297,659	230,901	6,393	3,987	30,315	12,160	1,810	. . .	29	12,064
Arkansas	144,670	77,222	2,848	7,796	32,613	15,457	1,104	6,914	275	441
California	1,855,887	1,076,167	81,686	46,404	486,570	58,827	32,401	68,557	84	5,191
Colorado	214,871	109,250	13,466	3,937	36,780	40,542	2,457	. . .	43	8,396
Connecticut	285,269	174,739	23,170	10,386	62,794	2,843	5,728	. . .	524	5,085
Delaware	337,797	23,230	1,472	200,201	107,293	986	586	3,446	96	487
Florida	840,499	482,793	62,229	33,663	172,487	14,402	25,346	19,146	7,822	22,611
Georgia	194,538	79,482	21,461	23,627	31,204	15,930	1,755	. . .	. . .	21,079
Hawaii	36,413	20,009	. . .	1,749	11,918	226	. . .	2,365	. . .	146
Idaho	100,271	56,853	3,094	283	18,114	16,790	977	2,859	. . .	1,301
Illinois	834,056	611,654	39,177	86,854	75,873	14,883	1,994	. . .	1,083	2,538
Indiana	227,636	177,520	. . .	3,987	23,119	11,401	10,086	63	390	1,070
Iowa	301,777	216,909	4,122	28,990	22,313	13,068	8,107	6,765	. . .	1,503
Kansas	158,217	97,441	5,837	12,746	24,797	9,724	2,581	3,814	90	1,187
Kentucky	272,663	149,099	5,361	75,407	25,237	11,038	1,907	1,900	435	2,279
Louisiana	393,290	72,029	8,115	259,111	35,914	11,542	2,046	3,273	105	1,155
Maine	98,484	47,982	6,889	2,445	27,034	10,849	1,913	. . .	382	990
Maryland	237,200	146,591	8,631	5,403	66,426	8,625	332	. . .	11	1,181
Massachusetts	415,434	255,293	64,202	19,136	67,484	4,845	1,171	. . .	670	2,633
Michigan	674,269	479,479	29,554	13,737	66,687	39,357	11,745	15,625	230	17,855
Minnesota	459,874	319,051	19,940	2,637	81,550	30,574	481	. . .	. . .	5,641
Mississippi	146,256	61,410	6,461	43,128	22,556	8,849	2,213	1,528	. . .	111
Missouri	362,857	198,803	14,114	61,718	53,850	17,101	2,427	9,183	1,296	4,365
Montana	92,088	36,728	2,066	790	11,610	19,272	1,619	1,335	18,628	40
Nebraska	107,091	56,119	3,264	4,660	22,284	7,863	241	. . .	. . .	12,660
Nevada	156,895	69,423	3,980	4,050	14,105	6,733	21	. . .	56,116	2,467
New Hampshire	94,388	50,758	7,307	5,607	16,943	5,771	2,080	2,719	543	2,660
New Jersey	634,233	337,193	26,239	131,236	52,774	10,478	3,748	1,053	68,272	3,240
New Mexico	128,340	100,792	3,894	1,455	13,524	7,671	280	90	140	494
New York	918,160	539,017	65,000	21,424	185,928	27,081	33,701	41,489	70	4,450
North Carolina	485,763	223,638	37,699	132,668	69,572	13,573	2,850	. . .	4,480	1,283
North Dakota	60,230	38,336	2,832	557	12,791	5,268	249	. . .	182	15
Ohio	841,251	395,313	16,087	230,230	140,737	21,895	32,607	694	. . .	3,688
Oklahoma	362,550	266,136	8,500	31,236	34,339	12,149	2,602	4	4,167	3,417
Oregon	347,581	216,600	14,716	4,291	77,319	22,328	1,600	6,982	1,519	2,226
Pennsylvania	1,508,747	431,627	42,948	603,007	344,048	39,456	11,182	31,289	44	5,146
Rhode Island	56,091	39,951	. . .	3,615	10,027	1,460	246	130	104	558
South Carolina	207,693	76,987	12,026	25,531	43,948	10,636	8,013	. . .	11,577	18,975

STATE GOVERNMENT LICENSE TAX REVENUE: 1990—Continued

State or other jurisdiction	*Total*	*Motor vehicle*	*Motor vehicle operators*	*Corporations in general*	*Occupations and businesses, n.e.c.*	*Hunting and fishing*	*Alcoholic beverages*	*Public utilities*	*Amusements*	*Other*
South Dakota	43,576	19,904	1,275	694	13,040	8,280	214	. . .	130	39
Tennessee	429,511	150,945	21,279	196,326	35,712	16,267	1,459	5,194	. . .	2,329
Texas	1,651,675	713,023	55,771	608,282	202,690	32,297	18,595	5,617	4,863	10,537
Utah	73,996	41,664	6,113	. . .	9,159	16,112	420	. . .	. . .	528
Vermont	52,784	37,165	2,088	653	6,493	4,090	377	. . .	210	1,708
Virginia	367,860	246,870	17,195	22,496	56,048	17,458	5,365	. . .	44	2,384
Washington	391,071	173,027	17,812	7,298	141,849	26,530	7,759	14,117	179	2,500
West Virginia	123,705	74,184	2,164	4,000	16,859	12,081	5,824	8,321	0	272
Wisconsin	334,392	161,918	16,269	5,337	105,716	36,400	183	6	492	8,071
Wyoming	62,698	41,988	717	2,071	1,491	14,628	. . .	1,560	. . .	243
Dist. of Columbia	40,849	17,446	1,297	5,903	12,135	. . .	2,223	. . .	. . .	1,845

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Tax Collections: 1990.*
Key:
. . . — Not applicable.

FEDERAL GOVERNMENT GRANTS—Continued

State or other jurisdiction	*School improvement programs*	*Construction of wastewater treatment facilities*	*FEMA-disaster relief*	*Support payments (AFDC)*	*Low income home energy assistance*	*Medicaid*	*Supplemental security income*	*Section 8 housing assistance grants* (b)
United States (c)	$1,079,724	$2,293,892	$1,163,288	$12,246,000	$1,314,000	$40,857,263	$25,800	$4,780,914
Alabama	20,691	31,947	29,696	54,224	9,813	601,096	726	53,119
Alaska	5,974	14,026	4,822	39,187	8,090	89,310	. . .	7,861
Arizona	15,565	11,016	2,253	109,100	6,883	408,302	188	44,311
Arkansas	12,066	6,169	7,177	43,941	7,716	473,879	4	36,582
California	41,257	133,199	112,481	1,830,187	46,222	3,869,906	3,642	577,978
Colorado	14,865	14,811	2,084	80,045	19,360	305,526	351	62,493
Connecticut	13,553	42,187	8,869	145,686	30,809	613,473	86	108,938
Delaware	5,974	6,604	280	19,279	3,913	68,094	34	16,720
Florida	47,749	116,148	8,494	272,923	15,382	1,426,640	1,172	166,024
Georgia	31,596	50,185	10,893	221,613	17,178	1,001,648	216	88,904
Hawaii	1,929	17,345	1,298	53,968	1,511	121,441	94	21,783
Idaho	5,974	12,313	412	21,119	8,375	124,383	54	14,745
Illinois	54,491	100,558	13,242	405,782	59,196	1,276,352	800	247,996
Indiana	8,881	56,934	7,815	140,609	37,244	945,091	1,005	80,764
Iowa	13,201	41,144	5,788	89,881	24,288	414,143	249	39,134
Kansas	11,281	19,784	799	67,092	11,220	304,195	145	25,301
Kentucky	18,578	22,537	12,449	128,882	19,726	753,489	431	70,938
Louisiana	23,616	19,964	6,627	178,664	10,826	1,041,136	. . .	67,762
Maine	5,112	14,488	1,879	62,750	19,579	283,081	335	41,105
Maryland	19,756	98,341	4,740	159,787	22,430	619,830	178	98,704
Massachusetts	24,125	86,767	3,520	370,925	54,203	1,569,596	1,124	246,992
Michigan	45,006	81,981	7,032	681,672	68,064	1,506,062	383	142,101
Minnesota	19,303	45,576	6,036	200,809	58,951	790,003	500	88,447
Mississippi	14,980	16,929	7,063	91,039	8,278	509,563	141	47,676
Missouri	23,088	49,578	8,660	139,583	33,222	576,412	100	85,612
Montana	5,974	4,198	680	34,731	10,077	132,755	93	13,034
Nebraska	7,443	4,712	1,525	56,311	12,621	209,523	72	21,584
Nevada	5,974	1,944	661	24,196	2,183	73,602	. . .	19,244
New Hampshire	5,974	13,567	780	17,231	11,180	121,431	108	24,497
New Jersey	33,295	127,477	3,234	319,114	51,837	1,261,356	99	209,287
New Mexico	7,871	3,564	998	42,600	6,468	212,842	17	22,198
New York	81,144	310,264	13,194	2,880,984	180,168	6,301,091	3,905	479,043
North Carolina	29,507	42,938	36,747	170,023	25,851	1,020,188	950	90,603
North Dakota	1,996	10,104	530	22,715	10,290	134,483	. . .	13,330
Ohio	50,738	107,522	14,671	519,677	67,044	1,956,626	1,725	216,460
Oklahoma	15,576	12,753	7,532	99,653	11,232	515,015	56	44,985
Oregon	12,392	20,248	2,802	139,073	15,213	369,171	186	53,075
Pennsylvania	52,252	104,392	4,987	482,675	85,786	1,813,671	1,752	214,218
Rhode Island	5,974	21,588	347	53,006	7,589	245,677	65	49,920
South Carolina	17,135	19,075	199,926	102,741	8,656	642,150	93	51,645
South Dakota	5,112	10,125	762	20,862	9,146	121,809	115	15,036
Tennessee	23,087	27,166	3,070	152,216	18,444	970,166	616	76,881
Texas	86,920	85,854	30,118	346,255	36,992	1,953,574	1,934	218,058
Utah	9,548	10,971	2,102	52,845	9,555	224,471	19	17,058
Vermont	5,974	12,286	1,165	28,430	9,549	105,035	42	15,487
Virginia	22,221	56,418	3,580	141,103	26,878	547,582	917	106,563
Washington	20,372	34,841	10,972	336,318	26,782	703,965	389	58,822
West Virginia	8,014	34,908	3,209	81,659	12,518	286,527	124	40,605
Wisconsin	22,392	46,371	1,724	358,665	46,016	893,091	373	74,571
Wyoming	5,974	5,808	305	17,373	4,721	43,928	. . .	6,355
Dist. of Columbia	5,974	16,535	757	51,359	4,407	216,824	162	37,564
American Samoa	1,473	. . .	24,400	. . .	31	1,343	. . .	640
Guam	3,379	2,815	187	3,464	45	1,958	. . .	3,331
No. Mariana Islands	12	574	55	. . .	. . .	605	. . .	. . .
Puerto Rico	23,081	34,673	353,201	78,625	128	81,140	. . .	102,016
U.S. Virgin Islands	2,322	24	164,406	3,352	13	3,014	. . .	2,818

See footnotes at end of table.

FEDERAL GOVERNMENT GRANTS—Continued

State or other jurisdiction	*Public housing grants*	*Office of Justice Assistance-justice programs*	*State unemployment insurance & services*	*Highway trust fund*	*State justice institute grants*	*FAA-airport trust fund*	*Urban mass transportation administration*	*All other grants*
United States (c) . . .	$2,572,098	$328,320	$2,580,110	$13,686,459	$10,405	$1,220,154	$3,754,357	$36,757,895
Alabama	63,414	6,200	37,464	292,264	133	10,487	14,535	676,772
Alaska	32,638	2,235	20,993	160,098	52	23,646	1,556	260,641
Arizona	47,765	10,894	30,957	186,060	98	38,366	26,053	541,505
Arkansas	23,584	4,453	25,124	128,322	19	14,937	6,566	348,783
California	94,918	45,894	332,797	1,343,663	308	74,089	487,934	3,985,982
Colorado	21,908	5,300	35,380	249,978	439	58,829	28,388	436,862
Connecticut	52,461	2,510	40,130	391,252	4	9,216	46,137	385,119
Delaware	11,000	2,186	7,725	40,003	. . .	270	4,271	104,997
Florida	66,933	15,002	80,052	478,259	43	95,045	92,996	1,309,521
Georgia	87,493	6,634	47,574	386,789	64	41,913	87,128	782,096
Hawaii	6,078	1,559	10,319	124,657	40	17,709	14,486	164,836
Idaho	5,613	1,486	17,431	125,999	. . .	8,921	2,817	171,603
Illinois	144,114	9,654	120,915	502,389	107	83,964	324,369	1,604,566
Indiana	30,461	1,699	35,931	259,391	. . .	40,337	28,057	602,354
Iowa	5,511	3,269	23,303	186,184	161	11,796	16,785	325,155
Kansas	16,605	2,798	21,506	161,835	. . .	10,562	6,690	271,959
Kentucky	45,876	3,580	29,337	160,819	. . .	24,279	11,450	577,601
Louisiana	50,277	5,829	36,678	301,522	. . .	9,352	40,052	623,535
Maine	11,064	2,665	15,058	66,122	10	4,478	10,883	183,126
Maryland	64,159	3,617	46,592	364,903	. . .	13,458	96,269	617,247
Massachusetts	74,688	8,315	62,204	181,320	99	22,189	133,867	841,117
Michigan	46,744	8,714	116,088	356,423	111	28,410	57,444	1,347,762
Minnesota	44,770	4,061	43,158	280,566	73	19,429	33,881	567,747
Mississippi	31,755	2,715	21,439	124,294	43	9,902	7,098	505,043
Missouri	40,673	7,410	49,040	271,560	36	25,101	66,836	639,233
Montana	22,932	1,979	11,342	95,867	. . .	8,610	2,404	211,048
Nebraska	10,792	2,505	15,825	103,479	. . .	5,602	8,471	266,286
Nevada	9,988	2,946	16,320	90,054	126	23,283	5,499	139,646
New Hampshire	8,616	1,738	11,053	55,708	. . .	4,728	3,110	126,585
New Jersey	125,083	14,266	82,027	353,802	95	12,639	221,504	977,820
New Mexico	30,685	2,729	16,092	95,877	79	14,531	10,923	404,705
New York	370,725	20,594	209,931	604,366	271	42,988	842,617	2,783,727
North Carolina	64,457	5,333	49,973	385,709	129	29,730	16,930	729,421
North Dakota	8,160	1,196	13,006	70,412	6	9,850	1,835	136,345
Ohio	105,683	11,373	84,859	403,753	15	38,604	109,411	1,389,606
Oklahoma	50,123	640	30,759	174,987	. . .	10,418	13,853	451,086
Oregon	15,220	4,534	36,742	158,886	. . .	12,194	28,563	751,335
Pennsylvania	148,506	12,972	112,390	758,873	53	60,015	179,430	1,758,611
Rhode Island	41,190	2,677	16,569	126,216	. . .	6,980	8,331	157,995
South Carolina	26,340	6,742	27,843	160,605	236	18,045	11,324	436,085
South Dakota	17,566	1,542	9,948	95,224	. . .	6,254	1,805	159,744
Tennessee	64,458	8,400	41,408	270,658	. . .	38,516	17,530	819,697
Texas	92,253	23,317	139,423	1,026,192	47	77,727	107,912	1,926,836
Utah	3,885	2,345	27,586	121,053	28	11,274	21,951	252,202
Vermont	4,745	1,191	6,036	54,789	23	1,020	1,733	102,882
Virginia	43,772	9,099	37,510	316,440	436	18,213	32,066	709,287
Washington	33,514	5,058	61,225	400,607	20	22,445	71,135	607,936
West Virginia	10,831	2,719	15,920	108,444	. . .	5,376	6,392	311,091
Wisconsin	35,306	4,683	51,349	221,551	139	19,931	33,436	603,213
Wyoming	4,422	1,398	9,022	111,464	. . .	7,115	2,225	330,181
Dist. of Columbia	16,759	1,429	16,203	67,050	. . .	125	324,189	915,953
American Samoa	. . .	824	. . .	1,783	. . .	3,052	. . .	40,640
Guam	488	667	326	955	. . .	215	409	75,715
No. Mariana Islands	. . .	613	. . .	. . .	. . .	1,951	. . .	50,026
Puerto Rico	76,046	3,099	20,311	69,648	. . .	5,165	30,843	1,049,905
U.S. Virgin Islands	9,049	1,038	3,367	. . .	. . .	6,877	353	61,447

Source: U.S. Department of Commerce, Bureau of the Census, *Federal Expenditures by State for Fiscal Year 1990.*

Note: Detail may not add to totals due to rounding. All amounts in this table represent actual expenditures of the federal government during the fiscal year.

Key:

. . . — Represents zero or rounds to zero

(a) For Puerto Rico, amount shown is for nutritional assistance grant program. All other amounts are grant payments for food stamp administration.

(b) Section 8 payments to public agencies; Section 8 payments to non-public agencies are included in Table 6.36.

(c) Includes undistributed monies: $160,000 for child nutrition programs, $1.1 million for school improvement programs, $98.5 million for state unemployment insurance and employment service operations, $6.8 million for state justice institute grants, $57.3 million for the highway trust fund, and $694.4 million for other programs.

Table 6.35
FEDERAL GOVERNMENT EXPENDITURES FOR SALARIES AND WAGES, BY STATE AND TERRITORY: FISCAL YEAR 1990
(In thousands of dollars)

		Department of Defense						
			Millitary					
State or other jurisdiction	*Total*	*Total*	*Total*	*Active*	*Inactive*	*Civilian*	*Postal service*	*All other federal agencies*
United States (a)	$146,094,692	$69,103,253	$39,443,768	$33,847,026	$5,596,742	$29,659,485	$34,214,091	$42,777,348
Alabama	2,756,304	1,480,442	638,767	430,360	208,407	841,675	402,161	873,701
Alaska	1,237,293	823,783	643,802	604,774	39,028	179,981	94,948	318,562
Arizona	2,046,727	983,294	663,524	588,347	75,177	319,770	426,275	637,158
Arkansas	929,872	419,205	283,364	214,026	69,338	135,841	247,246	263,421
California	17,745,649	10,509,678	6,370,389	5,993,828	376,561	4,139,289	3,942,291	3,293,680
Colorado	2,757,345	1,244,570	850,048	759,378	90,670	394,522	526,776	985,999
Connecticut	1,266,818	513,621	345,671	300,225	45,446	167,950	537,207	215,990
Delaware	383,669	175,105	124,338	98,834	25,504	50,767	162,451	46,113
Florida	6,595,657	3,525,086	2,503,725	2,349,601	154,124	1,021,361	1,744,206	1,326.365
Georgia	4,426,617	2,417,802	1,309,131	1,026,379	282,752	1,108,671	802,221	1,206,594
Hawaii	2,165,802	1,913,545	1,266,499	1,223,717	42,782	647,046	113,827	138,430
Idaho	508,181	181,540	142,752	113,542	29,210	38,788	101,135	225,506
Illinois	4,755,005	1,530,444	886,032	723.668	162,364	644,412	1,904,476	1,320,085
Indiana	1,800,155	786,053	306,810	123,982	182,828	479,243	632,591	381,511
Iowa	733,318	110,277	65,362	10,693	54,669	44,915	397,997	225,044
Kansas	1,464,629	784,176	596,324	464,761	131,563	187,852	344,693	335,760
Kentucky	1,918,212	1,092,959	732,978	634,436	98,542	359,981	378,880	446,373
Louisiana	1,863,360	916,002	662,385	552,980	109,405	253,617	445,749	501,609
Maine	560,556	273,040	210,518	181,142	29,376	62,522	183,233	104,283
Maryland	6,100,588	2,359,160	921,047	775,938	145,109	1,438,113	741,698	2,999,730
Massachusetts	2,646,954	739,862	350,418	216,545	133,873	389,444	1,107,847	799,245
Michigan	2,431,945	684,869	299,628	187,877	111,751	385,241	1,144,732	602,344
Minnesota	1,348,385	228,624	135,406	25,225	110,181	93,218	667,731	452,030
Mississippi	1,287,734	789,039	468,249	370,774	97,475	320,790	231,461	267,234
Missouri	2,857,679	1,129,253	503,935	334,936	168,999	625,318	803,648	924,778
Montana	522,836	160,184	121,442	94,932	26,510	38,742	99,668	262,984
Nebraska	952,529	526,138	399,995	362,816	37,179	126,143	237,688	188,703
Nevada	645,735	311,535	252,759	235,780	16,979	58,776	133,617	200,583
New Hampshire	692,344	415,744	106,864	85,489	21,375	308,880	178,117	98,483
New Jersey	3,396,204	1,394,598	536,641	391,287	145,354	857,957	1,412,562	589,044
New Mexico	1,358,372	710,086	397,480	358,197	39,283	312,606	157,295	490,991
New York	6,423,371	1,294,951	740,947	537,082	203,865	554,004	3,140,348	1,988,072
North Carolina	3,564,069	2,325,206	1,894,513	1,778,733	115,780	430,693	688,711	550,152
North Dakota	510,729	292,074	240,028	215,311	24,717	52,046	93,996	124,659
Ohio	3,921,944	1,678,076	518,158	365,451	152,707	1,159,918	1,383,094	860,774
Oklahoma	2,281,156	1,424,706	711,886	590,532	121,354	712,820	376,263	480,187
Oregon	1,185,578	192,244	90,631	36,448	54,183	101,613	340,013	653,321
Pennsylvania	5,142,480	2,091,402	558,257	258,937	299,320	1,533,145	1,749,045	1,302,033
Rhode Island	557,992	330,944	185,727	156,534	29,193	145,217	156,462	70,586
South Carolina	2,406,849	1,886,521	1,305,536	1,168,237	137,299	580,985	296,584	223,744
South Dakota	502,593	218,380	178,473	156,039	22,434	39,907	94,988	189,225
Tennessee	2,224,721	519,746	314,951	205,486	109,465	204,795	603,361	1,101,614
Texas	9,060,286	4,620,816	2,889,197	2,563,874	325,323	1,731,619	2,043,130	2,396,340
Utah	1,427,356	890,892	234,287	139,562	94,725	656,605	161,459	375,005
Vermont	210,137	43,372	25,191	4,285	20,906	18,181	95,900	70,865
Virginia	10,303,117	7,900,064	4,143,315	3,968,799	174,516	3,756,749	806,980	1.596,073
Washington	3,583,609	2,160,077	1,219,283	1,087,176	132,107	940,794	575,757	847,775
West Virginia	600,017	96,077	45,623	12,233	33,390	50,454	203,778	300,162
Wisconsin	1,196,670	279,921	192,470	24,647	167,823	87,451	581,151	335,598
Wyoming	314,871	129,105	95,986	83,679	12,307	33,119	51,400	134,366
Dist. of Columbia	9,438,716	1,062,162	435,410	373,017	62,393	626,752	317,842	8,058,712
American Samoa	3,090	272	243	. . .	243	29	476	2,342
Guam	369,924	350,303	218,236	215,646	2,590	132,067	5,315	14,306
No. Mariana Islands	2,673	29	. . .	. . .	. . .	29	397	2,247
Puerto Rico	515,892	179,425	105,097	70,479	34,618	74,328	133,221	203,246
U.S. Virgin Islands	40,853	6,774	4,040	370	3,670	2,734	9,995	24,084

Source: U.S. Department of Commerce, Bureau of the Census, *Federal Expenditures by State for Fiscal Year 1990.*

Note: Detail may not add to totals due to rounding. U.S. Dept. of Defense data represent salaries, wages, and compensation, such as housing allowances; distributions by state are based on duty station. State detail for all other federal government agencies are estimates, based on place of employment.

Key:

. . . — Represents zero or rounds to zero

(a) Includes undistributed monies: $149.5 million for all other federal agencies.

Table 6.36
FEDERAL GOVERNMENT DIRECT PAYMENTS FOR INDIVIDUALS BY PROGRAM, STATE AND TERRITORY: FISCAL YEAR 1990
(In thousands of dollars)

		Social Security			*Medicare*		*Federal retirement & disability payments*		
State or other jurisdiction	*Total*	*Retirement insurance payments*	*Survivors insurance payments*	*Disability insurance payments*	*Hospital insurance payments*	*Supplementary medical insurance payments*	*Civilian* (a)	*Military*	*Payments for unemployment compensation*
United States (b)	$497,695,773	$168,800,923	$50,192,744	$24,613,298	$68,254,950	$44,087,984	$31,885,864	$21,235,041	$17,360,376
Alabama	8,588,930	2,439,873	969,024	546,867	1,067,621	600,829	726,250	509,249	170,355
Alaska	612,092	128,160	47,730	25,455	39,134	24,624	94,470	66,088	87,214
Arizona	7,381,716	2,651,268	648,486	364,860	785,008	601,702	594,554	550,135	130,310
Arkansas	5,286,343	1,637,515	558,188	365,848	653,017	462,870	293,415	264,300	131,294
California	51,447,689	16,521,849	4,327,447	2,289,501	7,318,773	6,017,501	3,264,094	3,001,656	1,963,393
Colorado	5,686,892	1,739,610	524,023	282,418	656,813	383,728	539,622	553,250	154,054
Connecticut	6,466,497	2,744,121	623,024	246,567	952,780	627,173	205,197	132,106	384,533
Delaware	1,269,202	480,555	132,586	64,556	151,332	104,375	75,000	64,685	38,783
Florida	32,881,651	12,206,580	2,837,045	1,323,490	4,384,602	3,416,569	2,435,464	2,189,189	410,732
Georgia	10,838,938	3,174,842	1,131,441	711,161	1,165,449	865,988	853,466	758,881	279,602
Hawaii	2,034,097	684,325	140,201	61,722	177,289	138,061	360,466	180,214	44,409
Idaho	1,802,541	670,049	182,888	84,956	191,381	124,554	129,827	97,059	55,990
Illinois	22,686,780	8,149,708	2,435,194	1,021,193	3,865,364	2,015,307	843,409	321,199	868,522
Indiana	10,024,118	4,082,712	1,253,636	609,712	1,379,980	778,816	398,833	192,457	54,573
Iowa	5,703,754	2,330,635	692,558	249,481	842,780	447,224	241,173	83,657	123,612
Kansas	5,062,523	1,866,175	538,115	187,274	788,046	386,846	292,109	197,790	149,261
Kentucky	7,267,029	2,154,279	875,496	573,714	962,332	393,685	351,658	215,259	179,419
Louisiana	7,667,180	2,108,527	1,010,444	534,770	1,034,386	491,604	322,317	311,949	125,862
Maine	2,566,075	859,488	246,208	128,462	364,157	189,814	169,850	121,567	99,845
Maryland	9,816,051	2,671,215	824,414	332,085	1,225,214	768,532	2,097,742	556,151	234,175
Massachusetts	13,253,127	4,460,732	1,144,108	536,662	2,205,624	1,336,156	687,574	238,788	1,050,567
Michigan	19,670,962	6,697,701	2,117,334	1,069,779	2,914,782	1,921,904	483,925	220,345	2,003,500
Minnesota	7,543,750	2,927,631	821,989	309,329	1,025,156	596,151	324,775	131,682	331,987
Mississippi	5,252,745	1,409,990	558,045	388,210	655,687	372,602	283,244	241,777	98,486
Missouri	10,791,022	3,797,195	1,159,157	579,192	1,818,616	714,372	640,156	330,928	269,334
Montana	1,643,742	560,504	170,557	93,570	195,900	118,631	125,222	62,797	38,333
Nebraska	3,146,205	1,175,805	343,358	118,012	457,151	234,648	172,457	132,611	32,534
Nevada	2,176,054	761,822	174,050	109,571	217,379	158,487	186,700	227,796	79,554
New Hampshire	1,924,945	753,260	178,568	85,132	250,470	137,858	150,234	116,826	51,297
New Jersey	16,270,761	6,173,244	1,570,044	681,053	2,532,232	1,667,735	823,933	277,682	936,587
New Mexico	2,851,695	815,557	266,107	144,190	268,501	199,347	314,533	240,839	48,948
New York	37,594,963	13,568,878	3,550,901	1,770,684	5,832,438	4,184,021	1,392,945	341,316	1,721,793
North Carolina	11,540,089	4,141,293	1,230,137	772,696	1,247,676	831,808	643,496	700,380	262,646
North Dakota	1,277,067	436,833	147,084	47,193	224,629	106,593	63,784	27,473	22,915
Ohio	21,784,864	7,649,544	2,655,048	1,179,559	3,146,696	1,821,379	1,007,173	385,932	703,866
Oklahoma	6,529,129	2,109,394	703,638	296,070	885,211	456,198	610,659	345,625	99,239
Oregon	5,960,331	2,289,352	562,675	262,198	775,102	425,162	406,641	223,537	225,558
Pennsylvania	28,814,802	10,240,240	3,115,607	1,159,798	4,561,011	2,853,659	1,444,206	482,424	1,116,914
Rhode Island	2,290,826	845,039	191,778	101,619	297,476	207,585	140,424	75,103	161,690
South Carolina	6,196,502	2,013,854	640,930	432,491	638,038	342,942	435,809	547,967	121,659
South Dakota	1,385,289	500,402	157,985	58,929	198,235	95,290	93,931	43,266	9,789
Tennessee	9,470,429	3,030,272	1,051,136	612,353	1,248,543	694,845	520,164	413,514	236,600
Texas	28,861,651	8,542,637	3,173,189	1,190,980	3,661,762	2,565,636	1,820,795	2,123,685	747,201
Utah	2,490,472	836,222	234,094	100,349	196,174	147,533	400,952	115,442	56,621
Vermont	1,024,732	374,794	106,919	50,856	141,877	74,446	51,230	32,736	44,909
Virginia	12,524,768	3,246,790	1,059,125	562,623	1,212,782	778,587	2,162,990	1,638,100	156,308
Washington	9,328,182	3,326,423	834,447	430,303	940,293	671,359	837,876	766,479	385,006
West Virginia	4,472,100	1,310,361	576,545	333,817	573,385	288,019	163,572	90,520	93,155
Wisconsin	9,374,313	3,824,699	1,046,565	484,613	1,363,855	807,532	282,890	131,871	331,444
Wyoming	770,044	266,382	80,039	36,967	88,030	49,945	58,431	37,782	20,134
Dist. of Columbia	1,960,715	288,150	90,083	39,485	280,579	172,276	687,614	47,314	81,905
American Samoa	14,615	4,330	3,873	2,410	. . .	. . .	81	1,524	. . .
Guam	83,199	11,372	6,430	1,907	2,273	2,227	22,405	11,745	. . .
No. Mariana Islands	3,683	. . .	. . .	. . .	. . .	. . .	192	285	. . .
Puerto Rico	3,487,697	1,077,133	461,999	560,910	186,950	209,525	102,771	58,544	129,298
U.S. Virgin Islands	95,396	31,601	11,056	5,692	4,977	3,722	4,761	3,565	4,659

See footnotes at end of table.

FEDERAL GOVERNMENT DIRECT PAYMENTS—Continued

State or other jurisdiction	*Veterans benefits programs*	*Supplemental security income payments*	*Food stamps*	*Housing assistance*	*Pell grants*	*Excess earned income tax credit*	*National guaranteed student loan interest subsidies*	*Federal workers compensation payemts*	*All other*
United States (b)	$16,084,680	$11,747,888	$13,998,950	$5,898,533	$4,323,651	$4,710,518	$2,570,100	$1,347,172	$10,583,101
Alabama	369,506	324,641	320,749	64,368	91,096	130,989	13,479	40,032	204,002
Alaska	27,973	12,613	25,170	9,558	7,548	4,514	539	7,931	3,371
Arizona	287,581	122,751	239,352	53,793	78,363	86,201	22,479	28,034	136,839
Arkansas	279,984	166,535	154,978	44,341	55,903	69,283	7,198	14,875	126,799
California	1,315,239	1,742,457	947,076	703,407	392,463	695,681	108,132	214,077	624,943
Colorado	228,867	99,340	152,980	75,906	69,308	52,856	25,104	22,655	126,358
Connecticut	134,445	87,694	55,238	132,364	25,366	22,235	18,393	5,690	69,571
Delaware	36,443	20,320	24,761	20,298	7,418	10,493	5,483	2,530	29,584
Florida	1,185,159	601,727	605,058	201,892	168,987	283,858	88,744	90,811	451,744
Georgia	503,022	397,425	382,664	108,486	80,340	172,909	12,644	40,827	199,791
Hawaii	58,245	37,593	80,775	26,444	6,930	11,008	3,453	15,702	7,260
Idaho	63,880	26,869	39,270	17,902	21,839	18,557	7,194	6,381	63,945
Illinois	426,273	525,472	823,862	303,699	169,398	184,724	86,371	25,200	621,885
Indiana	266,961	156,852	223,641	97,943	89,366	88,209	53,489	13,864	283,074
Iowa	150,849	79,371	109,045	47,550	63,462	31,772	35,352	6,322	168,911
Kansas	153,629	61,233	95,933	30,779	56,490	33,742	23,939	8,051	193,111
Kentucky	297,017	300,800	333,992	86,579	71,405	78,089	11,094	20,903	361,308
Louisiana	319,036	341,848	549,555	82,450	118,124	142,474	17,958	18,413	137,463
Maine	116,582	45,348	62,622	49,959	13,336	15,782	13,308	5,775	63,972
Maryland	254,830	163,405	204,715	121,572	42,774	66,047	11,681	57,629	183,870
Massachusetts	458,919	249,747	204,939	311,768	60,299	47,362	83,867	26,510	149,505
Michigan	430,966	369,612	661,884	178,072	165,822	109,445	42,611	19,810	263,470
Minnesota	250,214	101,145	164,868	107,818	100,501	38,368	52,812	12,698	246,626
Mississippi	254,619	281,118	349,370	58,037	71,312	115,841	. . .	16,317	98,090
Missouri	333,984	219,941	310,390	103,926	97,934	91,551	25,831	14,701	283,814
Montana	59,938	27,260	40,638	15,951	21,701	14,379	9,306	7,448	81,607
Nebraska	105,149	37,964	58,655	26,203	35,317	22,139	61,893	3,656	128,653
Nevada	83,423	29,508	40,430	23,363	13,135	20,645	1,381	9,523	39,287
New Hampshire	81,521	17,320	20,245	29,776	6,299	9,594	3,842	5,455	27,248
New Jersey	342,854	267,762	286,555	266,698	66,839	96,249	47,341	34,871	199,082
New Mexico	143,251	81,709	118,052	26,950	36,614	47,766	7,225	17,706	74,400
New York	911,401	1,066,558	1,075,722	633,911	372,653	270,748	351,558	68,894	480,542
North Carolina	505,153	361,520	279,436	110,063	71,865	163,686	29,270	25,196	163,768
North Dakota	37,912	17,443	24,778	16,241	23,799	8,294	21,847	1,929	48,320
Ohio	609,934	439,554	841,863	262,694	189,475	150,421	79,690	39,659	622,377
Oklahoma	360,732	146,277	185,437	54,617	80,169	69,438	11,231	23,989	91,205
Oregon	208,823	86,376	167,226	64,501	50,767	43,905	11,519	19,073	137,916
Pennsylvania	693,945	492,462	665,207	261,692	192,796	145,932	177,646	53,619	1,157,644
Rhode Island	78,024	37,663	30,876	60,626	13,977	11,569	9,383	5,199	22,795
South Carolina	248,939	217,624	224,726	62,678	49,459	101,449	10,187	14,944	92,806
South Dakota	56,987	23,899	34,661	18,937	20,272	11,141	31,341	2,996	27,228
Tennessee	374,641	343,330	371,844	93,411	75,723	122,788	20,520	43,673	217,072
Texas	1,214,765	693,640	1,428,181	263,872	287,782	486,345	79,812	91,963	489,406
Utah	77,853	32,991	71,050	20,709	54,196	23,702	15,166	13,935	93,483
Vermont	38,625	20,286	22,066	18,802	6,771	6,044	6,235	1,468	26,668
Virginia	474,838	244,545	246,023	130,237	75,088	95,927	35,831	48,426	356,548
Washington	359,969	166,450	171,078	72,665	72,746	62,243	19,968	38,956	171,921
West Virginia	168,062	129,807	192,413	49,223	34,050	34,774	11,329	6,115	416,953
Wisconsin	272,206	169,916	180,982	90,900	81,790	51,880	53,539	9,125	190,506
Wyoming	27,090	8,454	20,555	7,693	10,567	7,180	3,428	2,507	44,860
Dist of Columbia	53,425	51,713	41,822	45,308	11,367	15,140	7,288	12,627	34,619
American Samoa	1,391	. . .	. . .	777	113	. . .	. . .	85	31
Guam	3,756	. . .	14,362	4,043	1,260	. . .	. . .	734	685
No. Mariana Islands	133	. . .	2,775	. . .	298	. . .	. . .	. . .	. . .
Puerto Rico	283,885	. . .	. . .	123,848	240,545	. . .	11,668	7,342	33,279
U.S. Virgin Islands	1,822	. . .	18,403	3,233	432	. . .	19	50	1,404

Source: U.S. Department of Commerce, Bureau of the Census, *Federal Expenditures by State for Fiscal Year 1990.*

Note: Detail may not add to totals due to rounding. Amounts represent actual expenditures during the fiscal year.

Key:

. . . — Represents zero or rounds to zero

(a) Includes retirement and disability payments to former U.S. Postal Service Employees.

(b) Includes undistributed monies: $48.3 million for civilian federal retirement and disability payments, $15.1 million for excess earned income tax credits, $272,000 for federal workers compensation, $699.4 million for national guaranteed student loan interest subsidies, and $11.4 million for other direct payments.

Table 6.37
FEDERAL GOVERNMENT PROCUREMENT CONTRACTS—VALUE OF AWARDS, BY STATE AND TERRITORY: FISCAL YEAR 1990
(In thousands of dollars)

State or other jurisdiction	*Total*	*Department of defense*	*Postal service*	*All other federal agencies*
United States (a)	$188,530,641	$135,259,039	$4,746,664	$48,524,938
Alabama	3,388,260	1,922,142	55,794	1,410,324
Alaska	529,188	440,864	13,173	75,151
Arizona	3,667,045	3,324,684	59,139	283,222
Arkansas	390,631	310,034	34,301	46,296
California	29,499,571	21,952,261	546,931	7,000,379
Colorado	4,043,389	3,263,921	73,082	706,386
Connecticut	4,443,344	4,251,160	74,529	117,655
Delaware	138,357	95,974	22,538	19,845
Florida	6,616,097	4,657,397	241,981	1,716,719
Georgia	2,227,821	1,779,460	111,295	337,066
Hawaii	547,303	508,351	15,792	23,160
Idaho	862,046	39,897	14,031	808,118
Illinois	2,601,344	1,301,927	264,216	1,035,201
Indiana	1,971,190	1,674,885	87,762	208,543
Iowa	700,372	486,707	55,216	158,449
Kansas	1,131,487	921,807	47,821	161,859
Kentucky	2,010,279	410,015	52,564	1,547,700
Louisiana	2,384,117	1,629,014	61,841	693,262
Maine	942,302	847,292	25,421	69,589
Maryland	6,693,535	4,319,087	102,899	2,271,549
Massachusetts	8,807,986	7,927,809	153,696	726,481
Michigan	1,698,383	1,265,474	158,813	274,096
Minnesota	2,078,045	1,747,790	92,637	237,618
Mississippi	1,616,057	1,406,598	32,112	177,347
Missouri	6,960,773	6,025,346	111,493	823,934
Montana	166,912	69,497	13,827	83,588
Nebraska	426,338	240,973	32,975	152,390
Nevada	829,487	182,114	18,537	628,836
New Hampshire	430,293	368,538	24,711	37,044
New Jersey	4,306,983	3,526,257	195,971	584,755
New Mexico	3,256,469	667,539	21,822	2,567,108
New York	8,621,028	6,698,138	435,674	1,487,216
North Carolina	1,592,358	1,191,225	95,548	305,585
North Dakota	163,566	98,733	13,040	51,793
Ohio	6,037,689	4,340,054	191,882	1,505,753
Oklahoma	873,350	613,111	52,200	208,039
Oregon	648,891	362,061	47,171	239,659
Pennsylvania	4,152,665	2,787,707	242,652	1,122,306
Rhode Island	600,437	550,178	21,707	28,552
South Carolina	2,663,624	697,750	41,146	1,924,728
South Dakota	119,266	35,179	13,178	70,909
Tennessee	3,308,460	1,138,861	83,707	2,085,892
Texas	11,203,047	8,825,869	283,452	2,093,726
Utah	1,543,171	883,014	22,400	637,757
Vermont	106,763	73,151	13,305	20,307
Virginia	10,167,683	7,831,697	111,956	2,224,030
Washington	3,942,511	2,432,430	79,877	1,430,204
West Virginia	325,147	222,976	28,271	73,900
Wisconsin	1,263,372	910,891	80,625	271,856
Wyoming	145,929	63,340	7,131	75,458
Dist. of Columbia	2,935,517	1,246,092	44,096	1,645,329
American Samoa	6,143	3,834	66	2,243
Guam	337,404	335,306	737	1,361
No. Mariana Islands	506	383	55	68
Puerto Rico	520,708	443,583	18,482	58,643
U.S. Virgin Islands	110,828	109,305	1,387	136

Source: U.S. Department of Commerce, Bureau of the Census, *Federal Expenditures by State for Fiscal Year 1990.*

Note: Amounts shown for U.S. Postal Service represent actual outlays for contractual commitments, while all other amounts shown represent the value of contract actions, and do not reflect federal government expenditures. Nonpostal data generally involve only current year contract actions; however, multiple-year obligations may be reflected for contract actions of less than three years duration. Foreign procurement contract awards are excluded from United States totals. Foreign award total equals $9,630,059,000, including $8,223,668,000 for the Department of Defense and $1,406,391,000 for all other federal agencies. Detail may not add to totals due to rounding.

(a) Includes undistributed monies: $15.7 million for Department of Defense and $5.9 million for all other federal agencies.

Table 6.38
FEDERAL GOVERNMENT EXPENDITURES FOR OTHER PROGRAMS, BY STATE AND TERRITORY: FISCAL YEAR 1990
(In thousands of dollars)

State or other jurisdiction	*Total*	*Grants*							
			Department of Health & Human Services research grants	*National Science Foundation*	*NASA—space program research grants*	*National Endowment for the Arts*			*All other programs*
		Total				*Arts*	*Humanities*	*ACTION (a)*	
United States (b)	$35,925,238	$11,057,422	$6,767,961	$1,808,961	$370,019	$144,666	$137,747	$123,775	$1,704,293
Alabama	426,287	181,449	98,611	8,077	9,910	664	1,184	2,863	60,140
Alaska	131,807	119,635	105,229	6,595	1,080	772	696	478	4,785
Arizona	356,997	206,781	81,314	53,188	11,169	776	1,635	1,363	57,336
Arkansas	392,865	27,422	7,760	1,956	152	58	562	1,763	15,171
California	3,176,752	1,502,304	998,275	268,989	80,961	18,500	11,982	8,266	115,331
Colorado	669,429	246,926	91,272	105,659	15,185	1,549	1,217	3,159	28,885
Connecticut	589,113	196,774	155,687	21,207	1,095	3,074	2,444	2,046	11,221
Delaware	44,192	19,462	7,022	6,086	1,476	132	1,183	632	2,931
Florida	689,115	179,618	92,242	31,071	8,111	1,486	1,396	5,610	39,702
Georgia	519,584	148,163	85,527	21,302	4,347	2,507	4,293	3,273	26,914
Hawaii	114,887	35,823	13,399	13,574	3,663	716	1,119	657	2,695
Idaho	145,526	17,423	4,599	1,535	1,596	154	570	1,054	7,915
Illinois	1,372,425	387,378	197,996	101,672	11,499	5,139	8,788	3,922	58,362
Indiana	696,425	132,779	64,421	40,956	3,579	1,065	1,597	3,175	17,986
Iowa	1,535,133	100,141	67,925	13,803	2,954	196	1,296	2,050	11,917
Kansas	857,910	42,722	21,834	6,145	1,224	106	1,047	1,929	10,437
Kentucky	283,954	47,149	20,025	5,853	613	1,183	1,619	2,330	15,526
Louisiana	543,627	88,629	45,598	7,883	885	1,247	1,794	2,040	29,182
Maine	93,774	50,681	28,452	5,641	616	368	999	997	13,608
Maryland	2,157,704	565,565	480,838	37,030	13,644	2,249	4,164	2,108	25,532
Massachusetts	1,212,466	934,289	676,289	163,923	24,025	6,656	10,211	2,693	50,492
Michigan	652,008	289,465	186,280	57,834	11,542	1,668	3,398	3,602	25,141
Minnesota	1,736,198	197,930	145,328	23,754	2,263	8,003	2,863	1,539	14,180
Mississippi	314,139	41,775	17,234	5,267	2,827	470	1,042	1,883	13,052
Missouri	1,471,768	200,667	156,750	16,488	3,208	3,136	1,254	3,072	16,759
Montana	420,622	18,077	4,789	5,385	423	552	448	1,084	5,396
Nebraska	787,339	38,338	23,848	4,859	655	702	622	1,805	5,847
Nevada	50,467	23,004	8,613	4,425	246	71	683	722	8,244
New Hampshire	84,148	46,392	27,060	6,312	4,527	136	1,537	896	5,924
New Jersey	370,818	145,679	72,780	42,322	4,465	1,427	3,686	2,905	18,094
New Mexico	214,380	65,446	28,645	10,682	2,596	2,146	716	1,331	19,330
New York	2,092,159	1,144,811	728,201	202,447	19,500	42,351	20,263	8,982	123,067
North Carolina	533,435	318,800	237,699	38,627	6,869	2,384	3,508	2,964	26,749
North Dakota	487,666	25,074	10,129	1,720	62	. . .	804	613	11,746
Ohio	787,917	288,400	173,005	34,030	24,262	3,752	3,120	4,733	45,498
Oklahoma	553,249	96,891	58,682	6,351	321	596	821	2,066	28,054
Oregon	323,504	122,670	70,690	20,647	2,438	609	1,445	1,764	25,077
Pennsylvania	1,189,225	623,212	421,842	93,906	15,726	6,916	6,514	5,431	72,877
Rhode Island	96,068	57,061	29,931	16,061	2,430	566	1,537	982	5,554
South Carolina	505,188	48,981	20,189	8,560	705	587	1,596	1,533	15,811
South Dakota	344,891	25,804	12,519	2,044	283	107	464	651	9,736
Tennessee	328,852	71,911	42,969	6,276	2,326	572	827	2,378	16,563
Texas	2,223,530	489,818	294,151	59,542	27,195	3,897	3,691	6,066	95,276
Utah	211,592	112,832	52,780	14,311	1,904	665	959	1,391	40,822
Vermont	53,083	34,002	25,390	1,972	117	463	723	898	4,439
Virginia	1,114,355	212,276	110,589	41,819	15,423	785	3,274	2,165	38,221
Washington	726,584	318,563	238,800	38,146	5,585	3,216	2,674	2,348	27,794
West Virginia	202,949	63,879	5,841	41,892	1,382	244	542	1,547	12,431
Wisconsin	555,206	207,541	133,714	37,389	7,473	553	2,050	2,180	24,182
Wyoming	55,777	18,098	994	4,604	243	208	487	619	10,943
Dist. of Columbia	1,299,555	442,207	71,005	32,928	4,953	8,836	5,599	882	318,004
American Samoa	160	132	. . .	40	. . .	77	. . .	. . .	15
Guam	4,357	1,632	308	681	. . .	7	. . .	. . .	636
No. Mariana Islands	90	65	. . .	. . .	. . .	. . .	30	. . .	35
Puerto Rico	92,756	33,711	12,620	5,506	283	381	502	2,151	12,268
U.S. Virgin Islands	7,104	1,292	270	. . .	. . .	34	302	184	502

FEDERAL GOVERNMENT EXPENDITURES FOR OTHER PROGRAMS—Continued

	Direct payments — other than for individuals							
		Department of Agriculture						
State or other jurisdiction	*Total*	*Feed grain production stabilization payments*	*Conservation reserve program*	*Crop insurance claims & payments*	*Wheat production stabilization payments*	*Other agricultural cultural programs*	*All other programs*
United States (b)	$24,867,816	$2,933,256	$1,530,580	$1,517,633	$784,440	$3,937,129	$14,164,778
Alabama	244,838	8,882	22,847	6,665	2,433	50,479	153,532
Alaska	12,172	72	14	. . .	1	317	11,768
Arizona	150,216	2,541	8	165	1,955	45,731	99,816
Arkansas	365,443	13,183	10,720	2,180	16,537	259,727	63,096
California	1,674,448	8,116	8,895	6,823	13,169	395,998	1,241,447
Colorado	422,503	63,782	75,842	1,930	28,980	57,079	194,890
Connecticut	392,339	570	. . .	13,697	. . .	1,542	376,530
Delaware	24,730	1,887	57	328	122	2,178	20,158
Florida	509,497	4,843	5,205	20,925	518	28,560	449,446
Georgia	371,421	27,840	25,309	11,550	8,798	75,071	222,853
Hawaii	79,064	. . .	14	. . .	. . .	556	78,494
Idaho	128,103	5,331	35,970	966	26,704	37,408	21,724
Illinois	985,047	388,452	42,758	99,886	14,647	89,435	349,869
Indiana	563,646	183,914	24,833	2,329	7,641	25,648	319,281
Iowa	1,434,992	529,980	143,746	583,878	332	99,552	77,504
Kansas	815,188	171,766	142,388	78,390	129,704	223,508	69,432
Kentucky	236,805	41,076	24,254	847	3,613	16,285	150,730
Louisiana	454,998	7,323	5,135	13,024	2,558	155,705	271,253
Maine	43,093	615	1,734	114	1	5,025	35,604
Maryland	1,592,139	9,051	1,042	139	579	8,146	1,573,182
Massachusetts	278,177	246	1	182	. . .	3,178	274,570
Michigan	362,543	95,486	10,714	296	8,649	53,418	193,980
Minnesota	1,538,268	231,480	94,293	173,552	36,143	119,346	883,454
Mississippi	272,364	7,968	29,312	4,916	5,701	158,046	66,421
Missouri	1,271,101	88,036	92,299	18,076	20,817	124,631	927,242
Montana	402,545	1,580	96,443	181,914	54,846	43,097	24,665
Nebraska	749,001	356,640	68,385	6,412	31,024	140,012	146,528
Nevada	27,463	52	188	55	333	4,323	22,512
New Hampshire	37,756	211	. . .	. . .	2	1,789	35,754
New Jersey	225,139	3,174	36	274	205	14,265	207,185
New Mexico	148,934	14,688	19,204	791	11,937	50,550	51,764
New York	947,348	26,606	2,980	16,026	1,949	34,690	865,097
North Carolina	214,635	38,261	6,304	6,911	3,516	35,516	124,127
North Dakota	462,592	22,315	94,179	43,813	110,195	169,088	23,002
Ohio	499,517	110,239	15,181	1,088	11,359	63,106	298,544
Oklahoma	456,358	12,063	46,733	109,960	72,230	80,458	134,914
Oregon	200,834	2,694	26,171	64	18,218	24,670	129,017
Pennsylvania	566,013	15,761	5,032	770	548	29,028	514,874
Rhode Island	39,007	. . .	. . .	39	. . .	107	38,861
South Carolina	456,207	18,646	10,902	4,215	4,762	25,584	392,098
South Dakota	319,087	88,761	58,964	18,613	31,481	102,364	18,904
Tennessee	256,941	19,089	22,440	814	4,321	81,907	128,370
Texas	1,733,712	169,384	155,799	31,467	44,067	697,011	635,984
Utah	98,760	866	8,973	180	2,120	24,800	61,821
Vermont	19,081	575	13	131	. . .	5,637	12,725
Virginia	902,079	15,129	3,673	1,008	1,856	20,244	860,169
Washington	408,021	5,643	48,446	2,246	46,678	111,237	193,771
West Virginia	139,070	2,621	29	. . .	41	7,263	129,116
Wisconsin	347,665	113,967	33,849	25,353	1,099	89,332	84,065
Wyoming	37,679	1,849	9,237	371	2,049	15,701	8,472
Dist. of Columbia	857,348	. . .	. . .	. . .	. . .	26,071	831,277
American Samoa	28	. . .	. . .	. . .	. . .	. . .	28
Guam	2,725	. . .	. . .	. . .	. . .	5	2,720
No. Mariana Islands	25	. . .	. . .	. . .	. . .	2	23
Puerto Rico	59,045	. . .	28	. . .	. . .	2,572	56,445
U.S. Virgin Islands	5,812	. . .	. . .	-149	5,663		

Source: U.S. Department of Commerce, Bureau of the Census, *Federal Expenditures by State for Fiscal Year 1990.*

Note: Detail may not add to totals due to rounding. Amounts represent a mix of value of awards and actual expenditures during the fiscal year. Grant amounts are other than those for state and local governments which are shown in Table 6.34.

Key:

. . . — Represents zero or rounds to zero

(a) ACTION grants include the following federal domestic assistance programs: the Foster Grandparent Program; Retired Senior Volunteer Program; Volunteers in Service to America (VISTA); Student Community Service Program; Senior Companion Program; Mini-Grant Program; Volunteer Demonstration Program; Drug Alliance; and Literacy Corps.

(b) Includes undistributed monies: $59,000 for National Endowment for the Arts, and $24.2 million for crop insurance claims and payments.

Table 6.39
FEDERAL GOVERNMENT LOAN AND INSURANCE PROGRAMS—VOLUME OF ASSISTANCE PROVIDED, BY STATE AND TERRITORY: FISCAL YEAR 1990
(In thousands of dollars)

	Direct loans				
State or other jurisdiction	*Total*	*Commodity loans-price supports*	*Farmers Home Administration rural housing loans*	*Housing for the elderly or handicapped*	*Other direct loans*
United States	$9,998,190	$5,779,042	$1,411,543	$583,283	$2,224,322
Alabama	132,168	26,455	38,715	7,742	59,256
Alaska	8,999	. . .	2,798	. . .	6,201
Arizona	55,722	4,067	14,100	13,048	24,507
Arkansas	515,876	443,150	34,100	8,053	30,573
California	1,306,180	537,680	56,408	79,950	632,142
Colorado	274,991	248,611	8,389	9,444	8,547
Connecticut	24,979	56	15,515	2,940	6,468
Delaware	8,732	1,531	4,138	. . .	3,063
Florida	321,351	199,691	55,490	44,559	21,611
Georgia	212,659	87,519	48,676	14,789	61,675
Hawaii	12,136	2,667	7,803	. . .	1,666
Idaho	35,964	25,526	7,229	825	2,384
Illinois	461,070	345,687	32,185	58,929	24,269
Indiana	231,358	160,799	35,163	13,973	21,423
Iowa	669,698	597,324	29,278	5,014	38,082
Kansas	122,782	94,700	12,664	3,455	11,963
Kentucky	113,464	31,530	41,867	3,311	36,756
Louisiana	265,127	188,974	21,959	10,730	43,464
Maine	62,317	206	33,631	1,781	26,699
Maryland	43,243	6,868	23,357	8,232	4,786
Massachusetts	52,604	88	27,120	11,491	13,905
Michigan	190,901	117,324	48,312	9,800	15,465
Minnesota	667,736	615,776	28,057	4,320	19,583
Mississippi	471,583	387,805	50,351	9,114	24,313
Missouri	174,511	110,888	36,429	6,613	20,581
Montana	69,188	56,097	6,137	. . .	6,954
Nebraska	297,574	275,895	8,249	. . .	13,430
Nevada	4,427	94	4,084	. . .	249
New Hampshire	26,562	12	20,524	1,010	5,016
New Jersey	42,948	1,469	18,463	8,728	14,288
New Mexico	22,285	6,018	12,873	2,278	1,116
New York	206,051	14,062	48,605	106,310	37,074
North Carolina	216,489	103,287	62,073	12,167	38,962
North Dakota	47,980	129,111	4,405	. . .	14,464
Ohio	196,740	86,973	50,496	24,072	35,199
Oklahoma	57,238	21,304	16,659	4,723	14,552
Oregon	38,638	7,924	18,657	2,984	9,073
Pennsylvania	205,077	7,409	75,879	15,028	106,761
Rhode Island	8,968	. . .	4,654	2,000	2,314
South Carolina	298,679	10,112	47,904	12,347	228,316
South Dakota	141,398	119,968	10,247	. . .	11,183
Tennessee	109,684	37,996	48,823	4,180	18,685
Texas	541,486	411,387	28,280	23,428	78,391
Utah	153,554	140,665	7,322	1,255	4,312
Vermont	28,688	245	16,991	. . .	11,452
Virginia	118,949	17,039	52,047	13,344	36,519
Washington	80,030	28,087	29,339	1,862	20,742
West Virginia	47,131	584	28,352	4,047	14,148
Wisconsin	115,377	66,266	32,872	2,672	13,567
Wyoming	8,363	2,110	4,704	. . .	1,549
Dist. of Columbia	8,990	. . .	. . .	8,945	45
American Samoa	6,614	. . .	. . .	. . .	6,614
Guam	5,193	. . .	4,672	. . .	521
No. Mariana Islands	43,055	. . .	137	. . .	42,918
Puerto Rico	162,985	. . .	31,926	3,793	127,266
U.S. Virgin Islands	151,710	. . .	2,434	. . .	149,276

FEDERAL GOVERNMENT LOAN AND INSURANCE PROGRAMS—Continued

State or other jurisdiction	*Guaranteed loans*							
	Total	*Mortgage insurance for homes*	*Guaranteed student loans*	*Veterans housing guaranteed & insured loans* (a)	*Farmers Home Administration programs*	*Small business loans*	*Other guaranteed loans*	*Total insurance*
United States	$82,067,407	$46,808,551	$12,344,588	$5,558,331	$2,988,490	$3,579,066	$10,788,381	$165,426,745
Alabama	1,120,201	640,329	72,652	86,648	51,689	62,265	206,618	1,157,982
Alaska	382,868	300,281	1,571	17,758	2,591	15,218	45,449	124,785
Arizona	2,191,177	1,559,338	246,251	141,332	12,085	40,304	191,867	1,229,498
Arkansas	816,776	474,924	79,500	47,475	96,104	26,328	92,445	421,024
California	9,405,832	4,948,841	1,088,348	766,238	82,428	815,291	1,704,686	11,076,997
Colorado	2,617,861	1,866,052	236,010	146,964	27,257	57,667	283,911	675,649
Connecticut	763,624	190,419	112,496	35,804	6,015	15,404	403,486	1,673,605
Delaware	178,910	120,096	12,647	17,400	3,827	4,572	20,368	696,556
Florida	4,228,003	2,887,643	175,467	529,644	42,235	88,347	504,667	57,327,180
Georgia	2,714,601	1,737,245	108,400	190,091	95,002	174,547	409,316	2,279,149
Hawaii	442,179	119,216	19,048	15,245	1,781	9,460	277,429	1,143,136
Idaho	612,742	434,267	31,361	42,800	41,770	37,289	25,255	208,505
Illinois	3,133,042	1,724,594	424,684	174,739	103,936	91,767	613,322	2,253,725
Indiana	3,149,396	1,027,685	1,847,817	86,641	58,076	39,384	89,793	861,717
Iowa	764,249	295,122	178,577	29,305	130,446	66,873	63,926	2,100,344
Kansas	1,034,197	528,935	195,212	58,739	103,408	62,381	85,522	891,263
Kentucky	761,607	433,226	86,816	50,021	62,973	57,719	70,852	701,601
Louisiana	1,036,186	616,628	81,885	53,407	158,425	33,995	91,846	15,386,795
Maine	284,519	125,384	42,059	31,221	32,600	28,049	25,206	287,664
Maryland	2,866,939	1,871,858	138,623	240,415	13,085	19,035	583,923	1,733,701
Massachusetts	860,363	144,504	473,738	58,524	12,677	43,544	127,376	2,021,390
Michigan	1,692,389	1,026,197	247,113	104,551	88,121	50,507	175,900	832,911
Minnesota	3,593,688	2,092,331	861,586	135,639	128,719	66,737	308,676	1,441,689
Mississippi	688,569	343,608	93,859	34,373	132,558	27,695	56,476	1,727,095
Missouri	1,652,055	946,748	144,262	95,713	69,102	87,421	308,809	756,625
Montana	450,370	251,914	50,978	17,770	33,658	54,831	41,219	382,589
Nebraska	833,371	352,243	237,828	55,230	94,198	32,883	60,989	1,063,779
Nevada	963,959	737,932	. . .	91,062	5,886	25,763	103,316	317,088
New Hampshire	177,166	46,335	38,567	29,862	7,373	26,213	28,816	164,125
New Jersey	1,008,839	538,149	202,187	75,534	9,781	45,135	138,053	9,809,684
New Mexico	488,307	295,811	42,730	45,452	22,898	29,643	51,773	241,945
New York	3,272,569	1,279,492	970,411	42,281	66,120	214,271	699,994	5,119,544
North Carolina	1,921,857	1,237,173	90,193	210,131	83,346	45,630	255,384	3,419,702
North Dakota	363,226	143,149	40,568	6,222	102,361	28,966	41,960	1,157,911
Ohio	2,554,755	1,805,544	274,073	155,019	60,294	86,135	173,690	846,308
Oklahoma	1,066,051	623,283	134,218	66,160	110,932	40,515	90,943	798,230
Oregon	901,767	629,863	93,501	42,933	26,918	33,700	74,852	399,889
Pennsylvania	2,515,077	1,152,636	1,027,704	70,876	54,053	90,210	119,598	2,458,747
Rhode Island	261,967	144,737	42,886	13,258	259	8,875	51,952	608,287
South Carolina	940,370	519,227	70,280	111,325	60,694	38,908	139,936	4,773,621
South Dakota	246,386	114,266	. . .	15,958	42,166	35,625	38,371	401,335
Tennessee	1,953,334	1,384,145	143,463	133,217	65,280	48,151	179,078	478,454
Texas	5,954,761	3,973,884	703,702	300,252	254,467	281,875	440,581	18,369,025
Utah	1,005,018	724,443	89,682	30,075	15,692	49,793	95,333	76,373
Vermont	148,777	20,313	38,084	4,069	27,109	55,943	3,259	94,366
Virginia	3,178,712	1,696,579	260,616	499,798	36,322	28,482	656,915	3,119,667
Washington	2,239,963	1,528,292	161,152	214,708	49,684	90,195	195,932	788,025
West Virginia	256,214	102,081	75,612	14,367	27,329	10,350	26,475	451,126
Wisconsin	1,185,477	297,186	425,138	100,441	93,237	122,942	146,533	426,548
Wyoming	245,082	162,534	23,842	10,696	15,019	12,553	20,438	88,844
Dist. of Columbia	189,431	78,293	78,135	5,225	. . .	3,834	23,944	31,178
American Samoa	123	. . .	. . .	. . .	. . .	123	. . .	277
Guam	1,506	249	. . .	388	. . .	660	209	925
No. Mariana Islands	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Puerto Rico	676,862	510,904	28,572	5,239	63,645	14,399	54,103	399,482
U.S. Virgin Islands	74,152	2,424	483	95	2,869	658	67,623	129,092

Source: U.S. Department of Commerce, Bureau of the Census, *Federal Expenditures by State for Fiscal Year 1990.*

Note: Detail may not add to totals due to rounding. Amounts represent dollar volume of direct loans made and loans guaranteed, or the face value of insurance coverage provided during the fiscal year.

Key:

. . . — Represents zero or rounds to zero.

(a) Represents only the federal government's contingent liability, which is the lesser of $36,000 or 40 percent of the loan value (minimum $22,500). Amount shown does not represent the full value of closed loans, as shown in the federal budget.

CHAPTER SEVEN

STATE MANAGEMENT AND ADMINISTRATION

STATE MANAGEMENT AND ADMINISTRATION: DOING MORE WITH LESS

By Wayne W. Hall Jr.

Overview

Over the last few years, state government administrators and managers have responded to the economic downturn in the United States the same way their private sector counterparts have — by becoming more efficient and maximizing existing resources.

More state personnel managers are concerned with how to attract and keep top-notch employees. Though often unable to offer salaries comparable with private industry, some are compensating with attractive benefits packages. For example, a few states have initiated on-site child day care or have explored ways to help employees care for older parents. Innovative human resource policy is putting some states in the forefront of personnel management practice.

Physical resources also are a growing concern. State administrative agencies are reducing rubbish in the waste stream, while saving substantial amounts of money in reduced landfill tipping fees. State purchasing officials are buying more recycled goods. Regional organizations, such as the Northeast Purchasing Cooperative and the Western States Contracting Alliance, are committed to buying goods with as much recycled content as possible. These officials are establishing specifications to make it easier for states to purchase recycled paper.

Many state managers are saving money through participation in organizations of state officials, such as the National Association of State Telecommunications Directors. For instance, in the past two years, state telecommunications managers have saved thousands of dollars by negotiating higher commissions from long distance companies who handle calls from pay phones on state property.

Some states also have made use of interstate consulting services. Upon request, a team of state officials is assembled to review the host state's problem and offer solutions based on practical and political experience. Because these state consultants donate their time, costs are kept to a minimum. In recent years, The Council of State Governments has administered many interstate consulting projects, and their increasing popularity attests to the program's success.

Downsizing

In the last two years, budget shortfalls across the nation have forced many states to devise contingency plans for state employee layoffs. However, the massive layoffs that were predicted have not occurred. In fact, a fall 1991 survey of The Council of State Governments revealed the states have used layoffs as a last resort to cope with budget deficits, preferring instead to use other work force reduction methods, such as early retirement incentives, job sharing and furlough days.[1]

Twenty-six respondent states reported layoffs in fiscal 1990 and 1991. However, in a follow-up inquiry, only eight states — Connecticut, Iowa, Maryland, Massachusetts, Michigan, New Jersey, New York and Pennsylvania — reported layoffs exceeding 1,000 employees.[2] The largest work force cuts appeared to be in New York, which planned to reduce its work force by about 19,000 through early retirement offers, layoffs and the elimination of about 10,000 vacant positions.

The largest percentage of state employee cuts apparently have occurred since June 1991.

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In Iowa and Connecticut, between 3 percent and 5 percent of state employees, were laid off between June and December 1991. New York has eliminated 10 percent of its positions since December 1991.[3]

The states have adopted various methods to cope with reductions in force. Furlough days have been used extensively in the Northeast, a region hit particularly hard by the economic downturn. Maine employees will take 17 unpaid days in fiscal 1992, and 20 days in fiscal 1993. Supervisors will take 27 and 30 days, respectively. Twenty states and Puerto Rico have instituted a mandatory unpaid leave policy to manage current downsizing efforts.[4] In addition, 36 states are offering job sharing options to employees.[5] Job sharing permits two part-time employees to perform the duties of one full-time employee.

Eleven survey respondents — Georgia, Iowa, Maryland, Minnesota, Missouri, Nebraska, Oklahoma, Utah, Vermont, Washington and West Virginia — indicated plans to layoff employees during 1992.

Making the Most of Employee Time

State governments, which often cannot compete with private employers in the salary arena, have found they can offer competitive benefits packages, as revealed in the Family and Work Institute's *State Reference Guide to Work-Family Programs for State Employees.*[6] One of the newest offerings in many state benefit packages is child care, either through dependent care assistance plans or on-site facilities.

Dependent care assistance plans increasingly are used to slow employee turnover and absenteeism and to boost productivity.[7] The plans cover a variety of programs, from referral services to on-site care centers. "Dependent care," traditionally defined as child care, has expanded to include older adults needing extra help in daily life. Minnesota and Kansas offer eldercare resource and referral centers to state employees.[8]

To help employees meet dependent care expenses, some state assistance plans permit employers to withhold money from employee salaries to be used on a pre-tax or non-taxable basis (Section 125 of the Internal Revenue Code). The funds are not included in the employees' salary and are not subject to withholding. Twenty-seven states offer dependent care on state property.[9] Apart from these reasons, states view dependent care centers as a recruitment aid, and in some cases, as models for the private sector.[10] The states operate 136 dependent care centers for state employees. New York state leads the way with 41 centers serving more than 2,500 children; 3,000 children are on waiting lists.

State governments are using other innovative measures to raise employee productivity and morale. Through computers and phone lines that link remote work sites (often the home) with the office, many state governments have realized substantial benefits. For example, a background brief prepared for the National Association of State Directors of Administration and General Services suggests that telecommuting boosts employee morale, reduces transportation costs, increases productivity and helps recruit highly qualified workers who might otherwise pass up state employment opportunities.[11] Telecommuting opens the work place to the disabled, parents with infants, and older workers. Moreover, the environment benefits from reduced commuter fuel consumption and traffic congestion. Thirteen states have implemented or are in the process of implementing telecommuting projects.

Over the next several years, the states will be working to fully incorporate the disabled into the state employment ranks. The **Americans with Disabilities Act** affects personnel administrators as well as state administrative agencies that provide services to state government such as telecommunications, fleet, facilities, information services and procurement offices. The broad impact of the act has yet to be felt in state personnel offices and service agencies.

Use it Again

In the environmental arena, experts say Americans will discard about 157 million tons of solid waste in 1992, the equivalent of 3.5 pounds of rubbish for every person, every day.[12] At the same time, landfill space is dwindling. In 1978, there were more than 14,000 landfills. By 2003, experts believe only 1,500 landfills will be in operation.[13]

With paper products taking up 40 percent of all landfill space, collecting office paper for recycling has become the norm in about 40 states[14] (see Table A). In addition, nine states collect plastic; 22 collect aluminum; and five collect polyfoam for recycling.[15] As tipping fees rise dramatically and available landfill space diminishes (especially in the Northeast), many states can save tax dollars by collecting solid waste for recycling "disposal."

Table A

Recycled Products: Collection Programs

State	*Paper*	*Plastic*	*Aluminum*	*Polyfoam*
Alabama	. . .	. . .	. . .	. . .
Alaska	★	. . .	. . .	. . .
Arizona	★	. . .	. . .	. . .
Arkansas	★	. . .	. . .	. . .
California	★	★	★	. . .
Colorado	★	. . .	★	. . .
Connecticut	★	. . .	★	. . .
Delaware	★	★	★	. . .
Florida	★	. . .	. . .	. . .
Georgia	★	. . .	. . .	. . .
Hawaii	. . .	. . .	. . .	. . .
Idaho	★	. . .	★	. . .
Illinois	★	. . .	. . .	. . .
Indiana	. . .	. . .	. . .	. . .
Iowa	★	. . .	. . .	. . .
Kansas	★	. . .	. . .	. . .
Kentucky	. . .	. . .	. . .	. . .
Louisiana	★	. . .	★	. . .
Maine	★	. . .	★	. . .
Maryland	★	★	★	★
Massachusetts	. . .	. . .	. . .	. . .
Michigan	★	. . .	. . .	★
Minnesota	★	. . .	★	. . .
Mississippi	★	. . .	. . .	. . .
Missouri	★	★	★	. . .
Montana	★	. . .	. . .	. . .
Nebraska	★	. . .	★	. . .
Nevada	★	. . .	. . .	. . .
New Hampshire	★	. . .	★	. . .
New Jersey	★	★	★	. . .
New Mexico	★	. . .	. . .	. . .
New York	★	★	★	★
North Carolina	★	. . .	. . .	. . .
North Dakota	. . .	. . .	. . .	. . .
Ohio	★	. . .	. . .	. . .
Oklahoma	★	. . .	. . .	. . .
Oregon	★	★	★	★
Pennsylvania	. . .	. . .	. . .	. . .
Rhode Island	. . .	. . .	. . .	. . .
South Carolina	. . .	. . .	. . .	. . .
South Dakota	★	. . .	. . .	. . .
Tennessee	★	★	★	. . .
Texas	★	★	★	★
Utah	★	. . .	★	. . .
Vermont	★	. . .	. . .	. . .
Virginia	. . .	. . .	. . .	. . .
Washington	★	. . .	★	. . .
West Virginia	★	. . .	★	. . .
Wisconsin	★	. . .	★	. . .
Wyoming	★	. . .	★	. . .

Source: Survey of the National Association of State Purchasing Officials, August 1991.

Key:

. . . — Not applicable

In New York, the state office of general services recycles more than 100 tons of paper per month from 40 state-owned office buildings. The 3R's program — Recover, Recycle, Reuse — saves the state more than $100,000 annually in landfill costs. In another example, tipping fees, from 1981 to 1991, rose 838 percent at Rhode Island's only landfill — from $3.51 a municipal ton and $5.85 a commercial ton, to $14.98 and $49.00, respectively. The state subsequently began a comprehensive statewide recycling program involving state offices, municipalities and businesses.[16]

Several states have set ambitious goals for solid waste recycling. Minnesota statutes, for example, authorize a state government resource recovery program to promote waste reduction in state agencies. The state commissioner of administration is required to develop and issue guidelines for the purchase of recycled goods. The guidelines will define what constitutes recycled materials. By 1993, the commissioner is expected to oversee the recycling of 40 percent of the solid waste by weight generated by the state.

State officials also are working through mutual association to achieve recycling goals. For example, under the aegis of the American Society of Testing and Materials, the National Association of State Purchasing Officials is working with private and public sector partners to define terms important to the development of recycled paper specifications. Once the specifications are finalized, states will constitute the single largest market for recycled paper in the nation.

Forty-three states have enacted mandatory buying preferences for recycled goods; 34 states mandate anywhere from 5 percent to 50 percent preference for recycled goods, based either on product price or volume[17] (see Table B).

Cooperative Purchasing: States Buying for Less

State purchasing offices have gained more clout in the past two years by joining forces to purchase state goods. Cooperative purchasing refers to any activity designed to improve the states' ability in buying goods and

Table B

Recycling In The States

State	*Legislation passed*	*Preference policies*	*Preference for price or volume*	*Percent preference*	*Notes*
Alabama	. . .	. . .	. . .	. . .	. . .
Alaska (a)	★	★	Price	5	. . .
Arizona (a)	★	★	Price	5	. . .
Arkansas (a)	★	★	Price	10	. . .
California	★	★	Price	5	(b)
Colorado	★	★	Price	10	. . .
Connecticut	★	★	Price	10	. . .
Delaware (a)	★	★	Volume	. . .	(b)
Florida	★	★	Price	10	. . .
Georgia (a)	★	★	Price	8	(b)
Hawaii	★	. . .	. . .	. . .	(c)
Idaho	. . .	. . .	. . .	. . .	. . .
Illinois (a)	★	. . .	. . .	. . .	. . .
Indiana	★	★	Price	10	. . .
Iowa	★	★	Volume	50	. . .
Kansas (a)	★	★	Price	20	. . .
Kentucky	★	. . .	. . .	. . .	. . .
Louisiana	★	★	Price	5	. . .
Maine	★	★	Price	10	. . .
Maryland (a)	★	★	Price	5	. . .
Massachusetts	★	★	General	. . .	. . .
Michigan	★	★	Price	10	. . .
Minnesota	★	★	Price	10	. . .
Mississippi (a)	★	★	Price	10	. . .
Missouri	★	★	Price	10	. . .
Montana (a)	★	★	Volume	. . .	. . .
Nebraska	. . .	. . .	. . .	. . .	. . .
Nevada (a)	★	★	Price	10	. . .
New Hampshire	★	★	Price	5	. . .
New Jersey	★	★	Price	10	. . .
New Mexico	★	★	Price	5	. . .
New York	★	★	Price	15	. . .
North Carolina	. . .	. . .	. . .	. . .	. . .
North Dakota	. . .	. . .	. . .	. . .	. . .
Ohio	★	. . .	. . .	. . .	. . .
Oklahoma	★	. . .	. . .	. . .	. . .
Oregon	★	★	Price	5	. . .
Pennsylvania	★		Price	5	. . .
Rhode Island	★	★	Price	5	. . .
South Carolina (a)	. . .	★	Price	7.5	. . .
South Dakota (a)	★	. . .	. . .	. . .	. . .
Tennessee	★	. . .	. . .	. . .	. . .
Texas	★	. . .	. . .	. . .	. . .
Utah (a)	★		Price	5	. . .
Vermont (a)	★	★	Price	5	. . .
Virginia	★	★	Price	10	. . .
Washington	★	★	Price	10	. . .
West Virginia	★	. . .	. . .	. . .	. . .
Wisconsin	★	. . .	. . .	. . .	. . .
Wyoming	. . .	. . .	. . .	. . .	. . .

Source: Survey of the National Association of State Purchasing Officials, August 1991.

Key:

. . . — Not applicable

(a) Indicates recycling mandate implemented since 1/1/91

(b) Recycled paper only

(c) Preference set for 1/1/91

services. Such activity may range from coordinating the release date of public bids to multistate contracting for services. Multistate purchasing is designed to enhance the participating states' bargaining power with vendors. Conversely, successful vendors also stand to reap large rewards from multistate contracts.

Several regional organizations have emerged to take advantage of multistate buying power. Some examples include the Northeast Purchasing Cooperative, the Western States Contracting Alliance, and several smaller cooperatives typified by the joint Wisconsin/Minnesota purchase of recycled paper. Utah has reported it saves about $120,000 annually by purchasing pharmaceuticals with Minnesota, Wisconsin and Colorado.

Although multistate cooperatives provide a big market for vendors selling a variety of goods, they also help close the loop in the recycling market by reusing raw material. The combined purchasing power of several states literally can create a market for recycled products, increasing the chances for long-term recycling success.

The growth of cooperative purchasing is not confined to multistate initiatives. As with the development of recycled paper specifications, some national organizations of state officials have joined forces to purchase lower-cost products and services. For instance, the National Association of State Telecommunications Directors has negotiated with long-distance carriers to increase commissions to state government from pay phones on state property. Thirty states are using the recommended carrier for pay phone commissions.[18] In many cases, the increased commissions can be used for equipment repair, purchases or services. Also by virtue of collective bargaining, the telecommunications managers negotiated attractive rates for the use of a state government interconnected network offered by a major long-distance carrier. Agencies in eight states now use the program, saving substantial amounts on telecommunications services.[19]

Experts On Loan: The Interstate Consulting Service

In the past two years, interstate consulting — a system where states desiring help in a specific problem area call on the expertise of officials from other states — has grown tremendously. More states are tapping into the pool of state managerial expertise and talent. These consulting projects, undertaken with administrative support from The Council of State Governments, have helped states address a variety of unusual situations.

Using interstate consulting services, states can identify state officials who are willing to help them solve a problem or simply provide advice. The program is attractive because officials donate their time to the state seeking help. Host states using the program pay only for consultant travel, meetings, report preparation, and other administrative costs. In almost every case, the service is less expensive than a private consulting firm. Host states have the added advantage of knowing they are getting advice from state officials thoroughly familiar with state government operations. Recent consulting projects have included a review and evaluation of Oklahoma's personnel system; assistance to Minnesota agencies seeking to buy more recycled products; and the public bid and award of a contract to expand Wyoming's statewide microwave network.

Notes

[1] "State Employee Layoffs: Final Results of a Joint Survey Project of The Council of State Governments and the National Association of State Personnel Executives." The Council of State Governments. February 1992.

[2] Elaine Knapp, "Budget Ax Misses State Workers," *State Government News*. January 1992. pp. 7-8.

[3] Ibid.

[4] Alabama, Colorado, Connecticut, Illinois, Kentucky, Maryland, Michigan, Mississippi, Montana, Nevada, New Jersey, New York, Oklahoma, Pennsylvania, Rhode Island, Utah, Vermont, Virginia, West Virginia, Wisconsin and Puerto Rico. *State Personnel Office: Roles and Functions*. The Council of State Governments. 1991. p. 102.

[5] Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nevada, New Mexico, New York, North Carolina, North Dakota, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, Washington and Wyoming. Ibid., p. 102.

[6] *State Reference Guide to Work-Family Programs for State Employees*. Families and Work Institute. 1991. p. 35.

[7] Ibid., p. 38.

[8] Ibid., p. 39.

[9] *Roles and Functions*, p. 85.

[10] *Work-Family Programs*, pp. 39, 45.

[11] *Backgrounder: State Telecommuting Initiatives*, p. 2, National Association of State Directors of Administration and General Services (NASDAGS). 1991.

[12] "Recycling in Rhode Island," *Innovations*. The Council of State Governments. 1992. p. 6.

[13] *Backgrounder: Recycling*. p. 2, National Association of State Directors of Administration and General Services (NASDAGS). 1991.

[14] *National Association of State Purchasing Officials Handbook*. (NASPO) 1991-1992, p. 8.

[15] Ibid., p. 8.

[16] "Recycling in Rhode Island," p. 3.

[17] *State Purchasing Officials Handbook*, p. 5.

[18] California, Colorado, Connecticut, Florida, Georgia, Idaho, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Jersey, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, West Virginia and Wisconsin. National Association of State Telecommunications Directors, membership survey. 1992. p. 77.

[19] Arizona, California, Georgia, Mississippi, Nevada, North Carolina, Oklahoma and Utah. Ibid., p. 80.

Table 7.1
THE OFFICE OF STATE PERSONNEL EXECUTIVE: SELECTION, PLACEMENT AND STRUCTURE

State or other jurisdiction	*Method of selection*	*Reports to:*			*Directs departmental employees*	*Legal basis for personnel department*	*Organizational status*	
		Governor	*Personnel board*	*Other*			*Separate agency*	*Part of a larger agency*
Alabama	B	. . .	★	. . .	★	C,S	★	. . .
Alaska	D	. . .	. . .	★ (a)	. . .	S	★	. . .
Arizona	D	. . .	. . .	★ (b)	★	S	. . .	★
Arkansas	D,G (c)	. . .	. . .	★ (d)	★	S	. . .	★
California								
State Personnel Bd.	B	. . .	★	. . .	★ (f)	C	★	★
Dept. of Personnel Admin.	G (e)	★	. . .	. . .	★ (g)	S	★	. . .
Colorado	G	★	. . .	. . .	★	C,S	★	. . .
Connecticut	G	. . .	. . .	★ (a)	★	S	. . .	★
Delaware	G	★	. . .	. . .	★	S	★	. . .
Florida	G	★	. . .	. . .	★ (h)	S	★	. . .
Georgia	G	★	. . .	. . .	★	C,S	★	. . .
Hawaii	G (f)	★	. . .	. . .	★	S	★	. . .
Idaho	B	. . .	★	. . .	★	S	. . .	★
Illinois	G	★	. . .	. . .	★	S	. . .	★
Indiana	G	★	. . .	. . .	N.A.	S	★	. . .
Iowa	G (i)	★	. . .	. . .	★	S	★	. . .
Kansas	D (j)	. . .	. . .	★ (a)	★	S	. . .	★
Kentucky	G	. . .	. . .	★ (k)	★	S	★	. . .
Louisiana	(l)	. . .	. . .	★ (m)	★	C	. . .	★
Maine	D (n)	. . .	. . .	★ (a)	★ (o)	S	. . .	★
Maryland	G	★	. . .	. . .	★	S	★	. . .
Massachusetts	G (p)	. . .	. . .	★ (a)	★	S	★	. . .
Michigan	B (q)	. . .	★	. . .	★	C	★	. . .
Minnesota	G	★	. . .	. . .	★	S	★	. . .
Mississippi	B	. . .	★	. . .	★	S	★	. . .
Missouri	G (r)	. . .	. . .	★ (s)	. . .	C,S	. . .	★
Montana	(t)	. . .	. . .	★ (b)	★	S	. . .	★
Nebraska	G (u)	★	. . .	. . .	★	S	★	. . .
Nevada	G	★	. . .	. . .	★	S	★	. . .
New Hampshire	(v)	. . .	. . .	(a)	★ (w)	S	. . .	★
New Jersey	G (x)	★	. . .	. . .	★	S	★	. . .
New Mexico	B (y)	★	★	. . .	★	S	★	. . .
New York	G	★	. . .	. . .	★	C,S	★	. . .
North Carolina	G	★	★	. . .	★	S	★	. . .
North Dakota	D	. . .	. . .	★ (z)	★	S	. . .	★
Ohio	G	. . .	. . .	★ (a)	★	S	. . .	★
Oklahoma	G	★	. . .	. . .	★	S	★	. . .
Oregon	D (aa)	. . .	. . .	★ (bb)	★	S	. . .	★
Pennsylvania	G	. . .	. . .	★ (a)	★	E	. . .	★
Rhode Island	D	. . .	. . .	★ (cc)	★	S,C	. . .	★
South Carolina	(dd)	. . .	. . .	★ (ee)	★	S	. . .	★
South Dakota	G	★	. . .	. . .	. . .	S	. . .	★
Tennessee	G	★	. . .	. . .	★	S	★	. . .
Texas	(ff)							
Utah	G (e)	★	. . .	★ (gg)	★ (hh)	S	★	. . .
Vermont	G	. . .	. . .	★ (a)	★	S	. . .	★
Virginia	G	. . .	. . .	★ (a)	★	S	★	. . .
Washington	G	. . .	★	. . .	★	S	★	. . .
West Virginia	D (ii)	. . .	. . .	(jj)	★	C,E	. . .	★
Wisconsin	G	★	. . .	. . .	★	S	★	. . .
Wyoming	D	. . .	. . .	★ (kk)	. . .	S	. . .	★
Puerto Rico	G	★	. . .	. . .	★	S	★	. . .

See footnotes at end of table.

THE OFFICE OF STATE PERSONNEL EXECUTIVE—Continued

Source: National Association of State Personnel Executives, *State Personnel Office: Roles and Functions, Second Edition*, 1992.

Note: See above referenced source for more detailed information.

Key:

★ — Yes
. . . — No
B — Appointment by personnel board
D — Appointment by department head
G — Appointment by governor
C — Constitution
S — Statute
E — Executive Order
N.A. — Not available

(a) Head of administration/administrative services. Alaska: Commissioner, Administrative Services; Connecticut: Commissioner, Administrative Services; Kansas: Secretary of Administration; Maine: Commissioner, Department of Administration; Massachusetts: Secretary, Administration and Finance; New Hampshire: Commissioner, Administrative Services; Ohio: Director, Administrative Services; Pennsylvania: Secretary of Administration; Vermont: Secretary, Agency of Administration; Virginia: Secretary of Administration.

(b) Reports to a department director who is appointed by the governor.

(c) Dual appointment. Individual is selected by the department head and confirmed by the Governor.

(d) Department head (Finance and Administration) and Governor.

(e) Appointed by the Governor with the consent of the Senate.

(f) Employees of the State Personnel Board only.

(g) Only those employees in the Department of Personnel Administration.

(h) Employees of the Department of Administration only.

(i) Must be confirmed every four years by 60 percent of the Senate.

(j) Appointed by the Secretary of Administration who is a Cabinet level official.

(k) Secretary of the Governor's Executive Cabinet.

(l) Classified state employee, not an appointed position.

(m) Board of Commissioners.

(n) Director makes decision after consultation with the Policy Review Board (an eight-member advisory board to the Bureau of Human Resources comprised of five Commissioners of other state Departments, a representative from the Governor's office, and two private sector members).

(o) The state personnel executive is the Director of the Bureau of Human Resources.

(p) Four-year appointments, effective July 1.

(q) Civil Service Commission appointed by Governor for eight-year terms. No more than two can be members of the same political party. Executive is appointed after competitive exam.

(r) Five candidates are recommended by the personnel board and then appointed by the Governor to a four-year term with consent of the Senate.

(s) Reports to the department head on most issues and to the personnel board on some issues.

(t) A division administrator who must compete for the position through the customary application/interview process.

(u) Subject to confirmation by Legislature.

(v) Appointed by the Governor and Executive Council.

(w) Only in some areas does the executive direct employees.

(x) All cabinet officers are appointed by the Governor.

(y) Appointed by the State Personnel Board with concurrence of the Governor.

(z) Reports to the Director of the Office of Management and Budget.

(aa) Appointed by the Director of the Executive Department with the approval of the Governor.

(bb) Reports to the Director of the Executive Department.

(cc) Reports to Associate Director of Human Resources.

(dd) Appointed by the State Budget and Control Board which includes the following: the Governor, Comptroller General, State Treasurer, Chairman, House Ways and Means Committee and the Chairman, Senate Finance Committee.

(ee) Reports to the Executive Director of the Budget and Control Board.

(ff) Texas does not have a centralized personnel system.

(gg) Reports to the Executive Committee along with the Governor.

(hh) Directors in the Department of Human Resource Management.

(ii) Exempt employees are hired by cabinet-level Secretary of Administration.

(jj) Regulations approved by the Board, policies and day-to-day decisions by the Secretary of Administration.

(kk) Reports to the Cabinet-level agency director.

Table 7.2
STATE PERSONNEL ADMINISTRATION: FUNCTIONS

State or other jurisdiction	*Administers merit tests (a)*	*Establishes qualifications*	*Provides human resource information system (a)*	*Human resource planning*	*Classification*	*Compensation (a)*	*Recruitment*	*Selection*	*Performance evaluation (a)*	*Position audits*	*Employee promotion*	*Employee assistance & counseling*	*Human resource development training*	*Employee health & wellness program*	*Affirmative action*
Alabama	C,D	C	C,D	D	C	C,D (b)	C,D	C,D	C,D	C	C,D	O,D	C,D	O	C,D
Alaska	C	C,D	. . .	. . .	C,D	C	C,D	C,D	C,D	C,D	C	D	C	. . .	C,D
Arizona	C	C	C	D	C	C	C	C	C	C	C	C,D	C,D	C	O
Arkansas	C	C	C	D	C	C	C,D	C,D	C	C	C,D	D	C	C,D	C,D
California															
State Personnel Bd.	C,D	C	C	. . .	C (f),O	O	C,D	C,D	O	O	C,D	O	O	O	C,D
Dept. of Personnel Admin.	O,D	O	. . .	O,D	C	C	O,D	O,D	C,D	C	O,D	C	C,D	C	O,D
Colorado	D	C	C	. . .	D	C	. . .	D	C	D	D	C	C,D	D	C,D
Connecticut	C	C,D	C,D	C,D	C	C	C,D	C,D	C,D	C,D	C,D	O,D	C,D	C	C,D
Delaware	C	C	C	C (n),D	C	C	C (n),D	C (n),D	C	C	D	C (n),O	C	D	C (n),D
Florida	. . .	C	C	D	C,D	C,D	C,D	C,D	C,D	C	C,D	C,D	C,D	C,D	C,D
Georgia	C	C	C	D	C	C	C,D	C,D	C,D	C	D	C,D	C,D	C,D	C,D
Hawaii	C	C	C	D	C	C	C,D	C,D	C	C	C,D	C	C	C	C
Idaho	C	C	O	D	C	C	C,D	. . .	C	C	D	O	C	. . .	C
Illinois	C	C	C	D	C	C	C,D	D	D (q)	C	D	D (r)	D	C	O,D
Indiana	C,D	C	C	C,D	C	C	C,D	C,D	C,D	C,D	C,D	C	C	C	C,D
Iowa	C	C	. . .	. . .	C	C	C	C	C	C	C	C	C	C	C
Kansas	C,D	C,D	C	C,D	C,D	C	C,D	C,D	C,D	C	D	C	C,D	C	C,D
Kentucky	C	C	. .	D	C	C	C	D	C,D	C	D	C	O	. . .	C
Louisiana	C	C	C	O,D	C	C	C	C,O,D	C,O,D	C	O,D	C,O,D	C,O,D	. . .	C,O,D
Maine	C,D	C	C	C,D	C	C	C,D	C,D	C	D	C	C,D	C,D	C	C,D
Maryland	C,D	C	C	C	C,D	C	C,D	C,D	C,D	C,D	C,D	C	C,D	C	C,O,D
Massachusetts	C,D	C	O	C,D	C,D	C,O	C	C,D	C (x),O	C,D	C,D	. . .	C,D	O	O,D
Michigan	C	C	O (n)	C,D	C	C	C	C	D	C	D	C	C	C	C
Minnesota	C,D	C	C	. . .	C,D	C,D	C,D	C,D	C,D	C,D	C	O	C	C,D	C
Mississippi	C	C	C	C	C	C	C	C	C	C	C	. . .	C	. . .	. . .
Missouri	C	C	C (n),O	D	C	C	C (n),D (n)	. . .	C (aa),D (n)	C	C,D	C	C (n),D (n)	C	O,D
Montana	C	D	C,O	D	C,D	C	D	D	D	C	D	. . .	C	C	C
Nebraska	. . .	C	. . .	. . .	C	C	C	C	D	C	D	. . .	C	C,O	C
Nevada	C	C	C	D	C,D	C	C,D	D	C (ff)	C,D	D	C	C	. . .	C,D
New Hampshire	C	C	C	D	C	C	C	C,D	C,D	C	C,D	D	C	O	D
New Jersey	C	C	C	C,D	C,D	C	C,D	C,D	C,D	C	C,D	C	C,D	O	C,D
New Mexico	C	C	C	C,D	C	C	C	. . .	C (ff),D (jj)	C	C,D	C	C	. . .	O,D
New York	C	C,D	C	C	C,D	C	C,D	C	O,D	C	C	O	O,D	C	C,D
North Carolina	. . .	C	C	. . .	C,D	C,D	D	D	C (ll),D	C	D	C	C,D	D	C
North Dakota	C	D	O	D	C	C	C,D	D	D	C	D	D	C	D	D
Ohio	C	C	. . .	D	C	C	C,D	D	C (nn),D	C (oo),D (pp)	D	O	C	O	O,D

See footnotes at end of table.

STATE PERSONNEL ADMINISTRATION: FUNCTIONS—Continued

State or other jurisdiction	*Administers merit tests (a)*	*Establishes qualifications*	*Provides human resource information system (a)*	*Human resource planning*	*Classification*	*Compensation (a)*	*Recruitment*	*Selection*	*Performance evaluation (a)*	*Position audits*	*Employee promotion*	*Employee assistance & counseling*	*Human resource development training*	*Employee health & wellness program*	*Affirmative action*
Oklahoma	C	C	C	C	C	C	C,D	C,D	C,D	C,D	C,D	C,D	C	C,D	C,D
Oregon	C	C	C	C,D	C	C	C	C	D	D	D	D	D	D	O
Pennsylvania	O	C	C	C	C	C	O	D	C	C	D	C	C	C	C
Rhode Island	C	C	C	C	C	C	C	C	D	C	D	. . .	. . .	C	C,D
South Carolina	C	C	C	C,D	C	C	C,D	C,D	C	C	C,D	D	C	O	O
South Dakota	C	C	C	C	C	C	C,D	. . .	C,D	C,D	C,D	C	C,D	O	C
Tennessee	C	C	C	C	C	C	C	C,D	C	C	C	O	C	O	C
Texas (rr)	D	D	O	O,D	O,D	O	O,D	D	D	O,D	D	D	O,D	O,D	O,D
Utah	D	C	C	D	C	C	C,D	D	D	C	D	D	D	C,D	C,D
Vermont	C	C	C	C	C,D	C	C,D	C,D	D	C	C,D	O,D	C	O	C
Virginia	D	D	C	D	C,D	C,D	C,D	C,D	C,D	C,D	C,D	C,D	C,D	C,D	C,D
Washington	C	C	C	C,D	C	C	C,D	C,D	C	C	D	C	C,D	C	C,D
West Virginia	C	C	C	C	C	C	C	O,D	C (mm)	C	C	. . .	C	. . .	C
Wisconsin	C	C,D	O	D	C,D	C,D	C,D	C,D	D	C	D	C,D	C,D	. . .	C,D
Wyoming	C	C	C	. . .	C	C	C,D	C,D	C,D	C	D	. . .	C	. . .	D
Puerto Rico	C,D	C,D	. . .	C,D	C,D	C,D	C,D	D	C,D	C,D	C,D	C,D	C,D	D	C,D

Key:
C — Functions performed in centralized personnel agency
O — Functions performed in another centralized agency
D — Functions decentralized
. . . — Not applicable

See footnotes at end of table.

STATE PERSONNEL ADMINISTRATION: FUNCTIONS—Continued

State or other jurisdiction	*Labor & employee relations*	*Collective bargaining/labor negotiations*	*Grievance & appeals*	*Retirement*	*Employee incentive & productivity system*	*Employee attitude survey*	*Child care*	*Workers compensation*	*Group health insurance*	*Flexible benefits*	*Deferred compensation*	*Drug testing*	*Budget recommendations to legislature*	*Legislative liaison*	*Other*
Alabama	C,D	O	C	O,D	O	...	...	O,D	O,D	O	O,D	...	C,O,D	C	...
Alaska	O	O	O,D	O	...	...	...	O	O	O	O	...	...	C	O (c)
Arizona	...	...	C,D	C,O	C	...	C,O	O	C	C	O	...	C (d)	...	D (e)
Arkansas	C	...	C	O	C	D	...	O	C	C	C	...	C	C	...
California															
State Personnel Bd.	O	O	C (g),O (h)	O	...	...	O	O	O	O	O	C,O,D	C	(i)	C (j)
Dept. of Personnel Admin.	C,D	C	C	O	C	C	C	C,O	O	C	C	C,D	O,D	C,D	...
Colorado	...	...	C,D	O	O	C,D	...	O	C	C	C	D	C,D	C,D	...
Connecticut	C,D	C	C,D	O,D	C (k),D	...	C (l),D	C,D	O	C	O	...	C	...	C (m)
Delaware	C	C	C (n),D	C	C	C	C	C	C	...	O	...	C,O	C	C (o),D (p)
Florida	C,D	C	C,O (g),D	C	C	D	C,D	O	C	C	C	O	C	C	...
Georgia	C	...	C,D	O,D	C	C	...	O,D	C	C	C	C,D	C	C	...
Hawaii	C	C	C	C	C	O	C	O	C	...	C	C	O	...	...
Idaho	C	...	C	O	...	...	...	O	O	D	O	...	C	C	...
Illinois	C,D	C,D	C,D	O	C	...	...	C,D	C	C	C	...	O,D	...	...
Indiana	C	C	C,D	O,D	C	D	C	O,D	C	C	O,D	...	O	C,D	...
Iowa	C	C	C,D	C	O	...	...	C	C	...	C	D	O	C	...
Kansas	C,D	C,D	C,D	O	...	C,D	...	C	O	C	C	C	C	C	C (s)
Kentucky	...	...	C,O (t)	O	C	...	...	C	C	C	C	D	C	C	C (u)
Louisiana	...	...	C,O (g),D	O	...	...	...	...	C	...	...	O,D	C,O,D	C,O,D	...
Maine	O,D	O	O,D	O,D	...	...	C,D	C,D	O,D	...	O	...	C (v)	C (v)	C (w)
Maryland	C,D	...	O	O	C,D	...	O	O	C	C	O	C,D	C	C	...
Massachusetts	O	O	(y)	O	C	...	O	O	O	C (x),O (z)	...	...	C	...	...
Michigan	C	O	C	O	...	...	...	O	C	C	C	...	O	C	...
Minnesota	C,D	C	C	O	...	...	...	C	C,D	...	C	...	C	C	...
Mississippi	C	...	C	O	C	...	...	O	O	...	...	...	C	C	...
Missouri	C	...	C (bb),D	O	C	...	...	O	O	O	O	D	C (cc),O	O	C (dd)
Montana	C	C	C,D	O	C	C	...	O	C	C	C	...	C (ee),D	C,D	...
Nebraska	C	C	C	O	D	D	...	O	C	C	O	...	O	...	...
Nevada	C	C (gg)	C,D	O	...	...	...	O	O	...	C	...	C,O	C	C (hh),D (ii)
New Hampshire	C	C	C	O	C	D	O	O	C	C	C,O	D	C,D	C	...
New Jersey	C,D	...	C,D	O	C,D	D	O	O,D	O,D	O	O	...	O	C,D	...
New Mexico	C	D	C	O	C	...	...	O	O	O	O	C (kk),D	C,O	C	...
New York	O,D	O	O	O	O	O,D	O	O	C	C	O	C	O	C	...
North Carolina	C,D	...	C	O	C	...	...	C,D	O	O	O	...	C (mm)	C	...
North Dakota	D	...	O,D	O	...	O	...	O	O	O	O	D	O	C	...
Ohio	O,D	O	O,D	O	...	C	C	C	C	C	O	...	C	...	C (u)

See footnotes at end of table.

STATE PERSONNEL ADMINISTRATION: FUNCTIONS—Continued

State or other jurisdiction	*Labor & employee relations*	*Collective bargaining/labor negotiations*	*Grievance & appeals*	*Retirement*	*Employee incentive & productivity system*	*Employee attitude survey*	*Child care*	*Workers compensation*	*Group health insurance*	*Flexible benefits*	*Deferred compensation*	*Drug testing*	*Budget recommendations to legislature*	*Legislative liaison*	*Other*
Oklahoma	. . .	. . .	O,D	O	C	. . .	C	O	O	C	O	. . .	C,O,D	C,D	. . .
Oregon	C	C	C	O	C	D	C	O	C	C	O	C	O	C	. . .
Pennsylvania	C	C	C (h),O (g)	O	C	C	C	O	C	. . .	C	D	C	. . .	. . .
Rhode Island	. . .	. . .	D	. . .	C	C	C	. . .	C	. . .	C	C	C	C	. . .
South Carolina	C	. . .	C	O	. . .	C	D	O	O	. . .	O	D	C	C	C (qq)
South Dakota	C	C	C,D	O	C	C	. . .	O	C	C	O	C	C	C	. . .
Tennessee	C	. . .	C	O	C	. . .	O	O	O	O	O	. . .	C	C	. . .
Texas (rr)	D	D	. . .	O	O	O	O,D	O	O	O	O	D	O,D	D	O (ss)
Utah	D	. . .	O,D	O	D	D	D	O	O	C	O	C	C,D	D	. . .
Vermont	C	C	C	O	. . .	D	C	O	C	C	O	. . .	C	C	. . .
Virginia	. . .	. . .	O,D	O	. . .	. . .	. . .	O	C,D	C,D	. . .	. . .	. . .	D	C (tt),D (uu)
Washington	C,D	C	C,D	O	O	C	C	O	O	C	O	D	C,D	C,D	C (vv),O (ww)
West Virginia	C	. . .	C	O	C	C	. . .	O,D	O	O	O	O,D	C	C	. . .
Wisconsin	C,D	C	C,D	O,D	. . .	. . .	C	O,D	O,D	O	O	. . .	O	. . .	. . .
Wyoming	C	. . .	C	O	. . .	. . .	. . .	O	O	O	O	. . .	O	. . .	. . .
Puerto Rico	C,D	O,D	O,D	O,D	D	. . .	C,D	O	C,D	C,O,D	O,D	D	O	. . .	C (xx)

Key:
C — Functions performed in centralized personnel agency
O — Functions performed in another centralized agency
D — Functions decentralized
. . . — Not applicable

See footnotes at end of table.

Table 7.3
COLLECTIVE BARGAINING IN THE STATES

State or other jurisdiction	*State workforce unionized*	*Collective bargaining covers wages & working conditions*	*Collective bargaining conducted by:*	*Percent of classified employees covered under bargaining agreements*	*Number of bargaining units in state*	*Number of employee organizations representing state workers* (a)
Alabama	N	. . .	(b)	0.5	3	4
Alaska	F	★	S	99.0	11	11
Arizona	N	. . .	. . .	. . .	. . .	. . .
Arkansas	P	. . .	. . .	. . .	. . .	2
California	F	★	C	(c)	21	13
Colorado	N	. . .	. . .	. . .	. . .	2
Connecticut	F	★	C	95.0	30	29
Delaware	P	(d)	C	50.0	43	8
Florida	P	★	C	87.0	8	4
Georgia	N	. . .	. . .	. . .	. . .	. . .
Hawaii	P	★	C	91.2	12	4
Idaho	N	. . .	. . .	. . .	. . .	. . .
Illinois	P	★	C	77.0	25	5
Indiana	P	. . .	C	. . .	11	3
Iowa	P	★	C	80.0	13	3
Kansas	P	★	C	54.0	40	13
Kentucky	N	. . .	. . .	. . .	. . .	. . .
Louisiana	N	. . .	. . .	. . .	. . .	. . .
Maine	F	★	S	85.0-95.0	7	3
Maryland	N	. . .	. . .	. . .	. . .	5
Massachusetts	F	★	S	94.0	12	8
Michigan	P	★	S	71.4	11	8
Minnesota	P	★	C	90.0	16	6
Mississippi	N	. . .	. . .	. . .	. . .	. . .
Missouri	P	(e)	C	15.0	8	4
Montana	P	★	C	52.0	77 (f)	20
Nebraska	P	★	C	85.0	12	3
Nevada	N	. . .	. . .	. . .	. . .	3
New Hampshire	F	★	C	90.0	27	2
New Jersey	F	★	S	80.0	16	9
New Mexico	P	(e)	S	30.0	18	4
New York	P	★	S	93.0	13	8
North Carolina	N	. . .	. . .	. . .	. . .	. . .
North Dakota	N	. . .	. . .	. . .	. . .	2
Ohio	F	★	S	80.0	21 (g)	5
Oklahoma	N	. . .	. . .	. . .	. . .	1
Oregon	P	★	C	92.6	30	9
Pennsylvania	F	★	C	86.0	70	15
Rhode Island	P	★	C	83.0	117	23
South Carolina	N	. . .	. . .	. . .	. . .	. . .
South Dakota	P	(e)	C	8.0	2	1
Tennessee	N	. . .	. . .	. . .	. . .	. . .
Texas	N	. . .	. . .	. . .	. . .	2
Utah	N	. . .	. . .	. . .	. . .	1
Vermont	P	★	C	95.0+	4	1
Virginia	N	. . .	. . .	. . .	. . .	. . .
Washington	P	(e)	C	66.0	89	12
West Virginia	N	. . .	. . .	. . .	. . .	. . .
Wisconsin	P	★	C	. . .	9	9
Wyoming	N	. . .	. . .	. . .	. . .	1
Puerto Rico	P	(h)	S	0.0	446	411

Source: National Association of State Personnel Executives, *State Personnel Office: Roles and Functions, Second Edition*, 1992.

Note: See above referenced source for more detailed information.

Key:
C — Central personnel
F — Fully unionized
N — Not a union state
P — Partially unionized
S — Separate agency
★ — Yes
. . . — Not applicable

(a) In non-union states, employee organizations (i.e., traditional state employee associations) are included.

(b) Negotiations/bargaining support (labor agency).

(c) Within civil service workforce, approximately 30,000 managerial, supervisory, confidential and excluded employees are not covered by collective bargaining agreements. All of the state's remaining employees have been covered, although due to a current impasse in bargaining, these agreements have expired.

(d) Merit agencies' agreements cover wages only; state police, transit and higher education agreements cover wages and working conditions.

(e) Working conditions only.

(f) Does not include university system which has approximately 20 units.

(g) 15 bargaining units exist for those agencies under the control of the governor; three of the four elected officials have one bargaining unit each and the fourth elected official has three.

(h) Apart from certified unions which bargain wages and working conditions, Puerto Rico also has bonafide employees associations that only bargain working conditions.

Table 7.4
GRIEVANCE PROCEDURES

State or other jurisdiction	*Number of steps in individual agency grievance procedures*	*Number of steps in centralized appeal process*	*Separate agency which investigates & hears all appeals*
Alabama	Varies	. . .	. . .
Alaska	3	1	. . .
Arizona	Varies	1	Personnel Board
Arkansas	5	5	State Grievance Review Committee
California			
State Personnel Bd.	. . .	. . .	. . .
Dept. of Personnel Admin.	4	2	. . .
Colorado	4	(a)	. . .
Connecticut	1-2 (b)	1 (c)	. . .
Delaware	3-4	1	State Labor Relations Services/Personnel office
Florida	4	(d)	Public Employees Relations Commission
Georgia	3	3	. . .
Hawaii	3 (e)	2	State Civil Service Commission
Idaho	3-6	2	. . .
Illinois	3	2	Central Management Services
Indiana	3	2	State Employees' Appeals Commission
Iowa	4 (f)	4	Public Employment Relations Board
Kansas	8 (g)	(g)	. . .
Kentucky	5	4	State Personnel Board
Louisiana	3	3	. . .
Maine	2	1	Bureau of Employee Relations
Maryland	2	(h)	Office of Administrative hearings
Massachusetts	2	4	Office of Employee Relations (i)
Michigan	3	2	Employment Relations Board
Minnesota	3	1	. . .
Mississippi	3	2	Employee Appeals Board/State Personnel Board
Missouri	3-6	2 (j)	. . .
Montana	3	4	Labor and Industry Board of Personnel Appeals (k)
Nebraska	3	3	State Personnel Board
Nevada	3	1	Employee Management Committee
New Hampshire	4	4	Public Employees Labor Relations Board
New Jersey	2	1 (l)	Department of Personnel (l)
New Mexico	4	2	State Personnel Office
New York	(m)	(m)	Governor's Office of Employee Relations (m)
North Carolina	3	2	Office of Administrative Hearings
North Dakota	3	1	(n)
Ohio	3	2	Office of Collective Bargaining (o)
Oklahoma	Varies	Varies	Merit Protection Commission
Oregon	Varies	1 (p)	(q)
Pennsylvania	3	2	State Civil Service Commission
Rhode Island	4	2	Labor Relations
South Carolina	Varies	3	(r)
South Dakota	3	5	. . .
Tennessee	. . .	5	. . .
Texas	Varies	. . .	. . .
Utah	4-6	4-6	Career Service Review Board
Vermont	2	5	. . .
Virginia	3	2	Department of Employee Relations Counselor
Washington	3	(s)	(t)
West Virginia	4	. . .	Education and State Employees Grievance Board
Wisconsin	4	. . .	Department of Employment Relations
Wyoming	2	1	. . .
Puerto Rico	. . .	6	Board of Education of the Personnel Administration System

GRIEVANCE PROCEDURES—Continued

Source: National Association of State Personnel Executives, *State Personnel Office: Roles and Functions, Second Edition*, 1992.

Note: See above referenced source for more detailed information.

Key:

. . . — Not applicable

(a) Certain actions are appealable to the Personnel Board; other actions are appealable to the personnel director; decision of either may be appealed to the courts.

(b) Varies by bargaining unit (one to two steps).

(c) One step plus arbitration.

(d) Administered by the Public Employees Relation Commission.

(e) No more than three.

(f) Two steps, if case involves suspension.

(g) There is no centralized appeal process. The Department of Administration grievance process has eight steps. It is used as a model for other agencies.

(h) Dissatisfied with the decisions rendered within their respective agencies, employees may appeal to the Office of Administrative Hearings for a *de novo* hearing at the third step of the process. After that, the only recourse is to appeal to Circuit Court.

(i) The Department of Personnel Administration investigates and hears appeals of classification and civil service matters. Grievances are handled by the Office of Employee Relations exclusively.

(j) Discipline only.

(k) Board of Personnel Appeals handles classification and pay appeals for all classified employees and grievances for non-union Department of Transportation and Fish, Wildlife and Parks Department employees only.

(l) Contractual violations go to arbitration; non-contractual appeals go to Department of Personnel.

(m) The Governor's Office of Employee Relations reviews all grievances and represents the state at arbitration. Each bargaining unit has separate procedures. Generally there are two steps at the agency level, one step for central review by the Office of Employee Relations, and the final step is binding arbitration.

(n) The State Personnel Board hears appeals, and the Office of Administrative hearings conducts the evidentiary hearings.

(o) The Office of Collective Bargaining handles all grievances once they are appealed to levels 4 and 5 (arbitration).

(p) Plus arbitration.

(q) Investigations are at the agency level and added to or continued at entire level before arbitration. The State Employment Relations Board hears all appeals regarding unfair labor practices on various petitions.

(r) Division of Human Resource Management Investigations mediates; State Employee Grievance Committee hears appeals.

(s) Two steps for allocation appeals and one for disciplinary appeals.

(t) Washington State Personnel Appeals Board (hears only classification and disciplinary appeals); Washington State Personnel Board (hears only application rejections and examination issues).

Table 7.5
COMPENSATION FACTORS
FAIR LABOR STANDARDS ACT (FLSA)

State or other jurisdiction	*Average no. of hours worked per week by FLSA exempt employees*	*Average no. of hours worked per week by FLSA non-exempt employees*	*Rate of stand-by pay*	*Shift differential for those working evening or night shift*	*Method for overtime payment*
Alabama	40	40	. . .	Yes	Compensatory time
Alaska	40	38	. . .	Yes	State budget
Arizona	40	40	Employee regular rate of pay; all stand-by duty counts in determining eligibility for overtime compensation. Stand-by duty means the requirement imposed upon an employee by an agency to remain at the employee's duty location or other designated location at any time when the employee is not scheduled to work.	Yes	(a)
Arkansas	40	40	. . .	Yes	State budget
California	40	40	Typical provision is one hour compensatory time off for four hours of stand-by	Yes	State budget
Colorado	40	40	$2.40 an hour assigned to on-call (stand-by)	Yes (some classes)	Personal services budget
Connecticut	35 +	35	Varies	Yes	State budget
Delaware	37.5	37.5	Five percent differential for stand-by status and overtime payment for hours actually "called back" to work	Yes	State budget
Florida	40	40	Hour for hour cash for any day other than Saturday, Sunday or a holiday 1/4 of the statewide hourly minimum for the employee's class for each hour the employee is required to be available on Saturday, Sunday or a holiday	Yes	1.5 times salary (regular salary budget)
Georgia	40	40	. . .	Yes	(b)
Hawaii	40	40	Varies	Yes	State budget
Idaho	40	40	. . .	Yes	State budget
Illinois	37.5	37.5	Hour for hour cash	Yes	State budget
Indiana	N.A.	N.A.	. . .	No	State budget
Iowa	40 +	40	10 percent of hourly rate	Yes	State budget
Kansas	N.A.	N.A.	$1 per hour	Yes	State budget
Kentucky	37.5	37.5	Percentage of salary is provided to "on-call" until activated	Yes	Ad hoc
Louisiana	N.A.	N.A.	. . .	Yes	If excess money is available at end of fiscal year
Maine	40	40	16 percent of regular hourly rate	Yes	From salary savings
Maryland	40	40	. . .	Yes	Some overtime specifically budgeted, but any funds may be used
Massachusetts	37.5	37.5	Not to exceed $10	Yes	State budget
Michigan	40	40	One hour straight time for each five hours on on-call duty	Yes	State budget
Minnesota	39.5	37.1	1/4 hour for each clock hour	Yes	State budget
Mississippi	45	40	1/10 of a person's hourly rate for the number of hours on call	Yes	State budget
Missouri	N.A.	N.A.	. . .	Yes	"Turnover savings"
Montana	N.A.	40	. . .	No	(c)
Nebraska	40	40	$.50 per hour for hour on call	Yes	(d)
Nevada	40	40	Five percent of base hourly rate for each hour in stand-by status	Yes	Combination of compensatory time off and salary savings
New Hampshire	37.5	38.75	Counts as time worked	Yes	State budget
New Jersey	37.5	37.5	Hour for time off	No	State budget
New Mexico	N.A.	N.A.	Varies	Yes	State budget (e)
New York	(f)	(f)	1 1/2 time off	Yes	State budget (g)
North Carolina	40	40	On call eight hours receives one hour compensatory time or $.94 per hour ($7.52/shift)	Yes	. . .
North Dakota	N.A.	N.A.	. . .	Yes	Salary line item budget
Ohio	40	40	Minimum four hours or time worked, whichever is greater if employee qualifies	Depends upon class	State budget
Oklahoma	40	40	. . .	Yes	State budget
Oregon	40	40	One hour of pay for each six hours of stand-by	Yes	State budget
Pennsylvania	37.5	38.2	25 percent of base pay or compensatory time off equivalent to 25 percent	Yes	State budget
Rhode Island	40-50	35-40	Dependent upon contract; generally three hours for on-call time, four hours if called	Yes	State budget

COMPENSATION FACTORS—Continued

State or other jurisdiction	*Average no. of hours worked per week by FLSA exempt employees*	*Average no. of hours worked per week by FLSA non-exempt employees*	*Rate of stand-by pay*	*Shift differential for those working evening or night shift*	*Method for overtime payment*
South Carolina	40	40	$1 per hour	Yes	State budget
South Dakota	40	40	If worked, regular pay; on-call, no pay	Yes	State budget
Tennessee	37.5	37.5	No premium for stand-by pay in addition to FLSA requirements	Yes	State budget (h)
Texas	40	40	Only given to FLSA non-exempt if eligible (cash or compensatory time)	Yes (some classes)	Within appropriations for salaries
Utah	40	40	On-call (one hour is paid for every 12 hours the employee is on-call)	Yes	. . .
Vermont	40	40	1/5 of hourly rate for non-supervisors; 1/8 of hourly rate for supervisors	Yes	State budget
Virginia	40	40	Cash payment	Yes	State budget
Washington	40	40	Varies	Yes	State budget (i)
West Virginia	40	40	Hour for time off	No	State budget
Wisconsin	40	40	Other	Yes	State budget
Wyoming	40	40	. . .	Yes	State budget
Puerto Rico	37.5	37.5	Hour for time off	Yes	Compensatory time

Source: National Association of State Personnel Executives, *State Personnel Office: Roles and Functions, Second Edition*, 1992.

Note: See above referenced source for more detailed information.

Key:

. . . — Not applicable

N.A. — Not available

(a) Overtime is funded through budget appropriations, compensatory time, vacancy savings and non-appropriated fund sources.

(b) Some budget funds are allowed, but many agencies award annual leave at 1.5 times to compensate for overtime.

(c) Overtime is budgeted every two years by the legislature on a case-by-case basis with each agency.

(d) Some agencies are funded; others must use compensatory time instead of pay or use vacancy or other forms of savings.

(e) State budgets for overtime payments only in larger agencies, smaller agencies must pay overtime under FLSA through vacancy savings.

(f) 50 percent work 37.5 hours per week; 50 percent work 40 hours per week.

(g) Some overtime funds budgeted; additional costs absorbed by regular salary fund.

(h) In compliance with FLSA, non-exempt employees' overtime payment schedule is as follows: overtime hours worked are compensated with straight time cash with two exceptions: (1) hours actually worked in excess of 40 in a work week are compensated with premium 1.5 times rate cash overtime and (2) time worked on a holiday and holidays falling on an employee's regular day off are compensated with straight compensatory time. Exempt employees receive regular compensatory time for hours worked in excess of 37.5 in a work week. Executive employees are excluded from overtime compensation.

(i) Varies by agency. Agencies that have not budgeted enough for overtime could pay with unbudgeted savings, e.g., vacancy savings.

Table 7.6
CLASSIFICATION AND COMPENSATION PLANS

State or other jurisdiction	*Legal basis for classification*	*Current number of classifications in state*	*Requirement for periodic comprehensive classification review plan*	*Date of most recent comprehensive review of classification*	*Legal basis for compensation plan*	*Compensation schedules determined by:*
Alabama	S	1,600	★	1982	S	P
Alaska	S	1,050	. . .	1960	S	L
Arizona	S,R	1,500	. . .	N.A.	N.A.	L
Arkansas	S	1,900	. . .	1988-1990	S	L
California						
Dept. of Personnel Admin.	C,S	4,324	. . .	N.A.	S,CB	P (a)
Colorado	C,S,R	1,348	. . .	1991	S,R	P
Connecticut	S	2,600	★	1990	CB	P
Delaware	S	1,434	★	1987	S	L
Florida	S	1,596	★	1985	S	L
Georgia	S	1,570	. . .	1978	S	P
Hawaii	S	1,660	. . .	N.A.	S	(a)
Idaho	S	1,550	★	1991	S	L
Illinois	S	1,680	. . .	1969	S,R,CB	P
Indiana	S,R	1,500	. . .	1974-76 (b)	S,R	P
Iowa	S	1,250	★ On-going	On-going	S,R,EO,CB	P
Kansas	S,R,EO	1,142	★	On-going (c)	S,R,EO	P (d)
Kentucky	S	1,614	. . .	1982	S,R	P
Louisiana	C	3,800	. . .	1987	C	P
Maine	S	1,500	★	On-going	S,R,CB	P,L (e)
Maryland	S,R	3,000 (approx.)	. . .	On-going	S,R	P,L
Massachusetts	S	1,150 (approx.)	. . .	1980	S,CB	P (f),L (g), (h)
Michigan	C	2,700	★	1991	C	P
Minnesota	S	2,140	. . .	1978	S,CB	P (a)
Mississippi	S	2,053	★	1990	S	P
Missouri	S	1,100	. . .	1946	S	P
Montana	S	1,350 (approx.)	. . .	1990	S,CB	L
Nebraska	S	1,300	. . .	(i)	S,CB	P
Nevada	S,R	1,300	★	On-going	S	P
New Hampshire	R	1,490	★	1991	CB	L
New Jersey	S	6,400	. . .	1990	S,CB	P (j)
New Mexico	S,R	1,200	. . .	1989	S,R	P,L
New York	S	7,300	. . .	1984-1985	S,CB	(k)
North Carolina	S	3,500	. . .	(l)	S	(m)
North Dakota	S	1,075	. . .	1987-1988	S	(n)
Ohio	S	1,804	★	1987-1990	S,CB	L (a)
Oklahoma	S	1,418	. . .	1981	S	L
Oregon	S	1,100	. . .	1984-1990	S,CB	P (o)
Pennsylvania	S	2,782	. . .	1989	S	P
Rhode Island	S	1,500	★	1989	S	P
South Carolina	S	2,318	★	1991	S	(p)
South Dakota	S	551	. . .	1985-1986	S	P
Tennessee	S	2,258	. . .	1984	S	P,L
Texas	S (q)	1,339	★	(r)	S (q)	L
Utah	S	2,500	★	On-going	S	L
Vermont	S	1,280	. . .	1986	S,CB	(s)
Virginia	S	1,888	★	On-going	S	P,L
Washington	S,R	2,100	. . .	On-going	S,R	L
West Virginia	S,R	2,000 (approx.)	. . .	1984	S,R	P
Wisconsin	C,S	2,000	★	On-going	C,S,CB	N.A.
Wyoming	S	774	★	1989	S	P
Puerto Rico	S	1,107	. . .	On-going	S	(t)

CLASSIFICATION AND COMPENSATION PLANS—Continued

Source: National Association of State Personnel Executives, *State Personnel Office: Roles and Functions, Second Edition*, 1992.

Note: See above referenced source for more detailed information.

Key:

C — Constitution
L — Legislature
P — Personnel Department
S — Statute
R — Regulation
CB — Collective Bargaining
EO — Executive Order
. . . — Not applicable
N.A. — Not available

(a) Collective bargaining.

(b) Reviewed in 1989-90; results not yet implemented. Current classification plan implemented in 1977-78.

(c) The review of all classified jobs is to be completed by the beginning of fiscal year 1992. The review is on-going.

(d) Approval by governor; agencies with decentralized classification authority are audited annually by the centralized personnel department.

(e) Wages and salaries for majority of state employees are negotiated.

(f) Management compensation schedules.

(g) All department compensation schedules approved by legislation.

(h) Office of Employee Relations determines non-management compensation schedules.

(i) No single comprehensive review; periodic review of components.

(j) Department of Personnel assigns salary ranges; increases to ranges are negotiated.

(k) Salary schedules are set through negotiations for represented employees; management salary schedules are set by law.

(l) There has been no review of the classification system since it was established.

(m) State Personnel Commission (with funding from the legislature).

(n) The Personnel Division recommends schedules within legislative appropriations. The State Personnel Board has approval authority.

(o) Collective bargaining with approval of legislature.

(p) State Budget and Control Board.

(q) Appropriations Act.

(r) Reviewed each biennium in conjunction with budget and appropriation process.

(s) Collective bargaining or executive approval.

(t) Prepared by Personnel Department and approved by the legislature.

Table 7.7
TRADITIONAL BENEFITS AS PERCENTAGE OF BASE SALARY

State or other jurisdiction	*Health insurance*	*Social security*	*Retirement*	*Unemployment insurance*	*Paid holidays* (a)	*Vacation leave*	*Civic & personal leave*	*Workers compensation*	*Sick leave taken*
Alabama	(b)	7.65	7.12	★	★	★	. . .	. . .	. . .
Alaska	14.0	★	13.5 (c)	1.0	5.28	11.56	★	3.5	2.88
Arizona	(d)	7.51	3.82	★	3.9	5.8	★	★	★
Arkansas	★	★	★	★	★	★	★	★	★
California									
Dept. of Personnel Admin.	12.0 (b)	7.65	★ (c)	. . .	4.23	8.15	0.04	2.66	3.50
Colorado	4.19 (b)	0.0	11.6 (c)	0.148	3.85	5.77	★	0.182	2.95
Connecticut	10.8 (b)	6.56 (e)	10.56 (c)	0.16	4.6	5.75	1.15	3.55	3.54
Delaware	12.0	7.65 (e)	8.6 (c)	0.02	4.6	5.7	0.0	1.3	3.5
Florida	★ (b)	15.30 (e)	16.20	. . .	3.5	5.0 - 7.5	★	. . .	5.0
Georgia	★ (b)	7.65	18.0 (c)	★ (f)	8.3	6.6	0.0	★	3.0
Hawaii	★	★	(c)	★	5.0	8.1	. . .	★	★
Idaho	★	★	★	★	★	★	. . .	★	★
Illinois	4.55	7.65 (e)	3.95 (c)	0.43	4.6	5.36	1.15	0.45	3.33
Indiana	11.47	7.65	11.00	. . .	. . .	1.24 (g)	0.21 (h)	★	0.53 (i)
Iowa	★	. . .	★	★	★	★	★	★	★
Kansas	★ (b)	7.65	2.7 (c)	0.2 (j)	2.7	5.8	★	1.08	★
Kentucky	★ (b)	7.65 (e)	7.45 (c)	. . .	★	★	★	★	★
Louisiana	★	. . .	★	. . .	★	★	★	★	★
Maine	★ (b)	. . .	★	★	★	★	. . .	★	★
Maryland	★	★	★	★	★	★	★	★	★
Massachusetts	★	. . .	★	. . .	★	★	★	★	★
Michigan	9.5	7.3	8.7	0.2	5.0	7.2	★	1.4	3.3
Minnesota	10.5 (b)	7.18 (e)	5.18 (c)	. . .	4.2	6.9	★	★	3.1
Mississippi	★	★	★	★	★	★	. . .	★	★
Missouri	7.03	7.65	9.9	0.25	4.62	5.77	0.10	0.25	3.46
Montana	★ (b)	6.675	6.42	0.0025	★	★	★	★	★
Nebraska	★ (b)	★ (e)	★ (c)	★ (k)	4.62	6.4	0.02	0.8	3.8
Nevada	7.13	. . .	17.65	. . .	3.84	5.49	0.45	2.32	4.02
New Hampshire	14.33	7.55 (e)	(c)	★	4.62	5.77	★	★	3.1
New Jersey	. . .	7.65	★ (c)	0.625(l)	★ (m)	★	★	. . .	★ (n)
New Mexico	★	7.65	13.83 (c)	★	★	★	★	★	★
New York	★	★	★	★	★	★	★	★	★
North Carolina	5.25	7.65	11.22	0.05	4.62	7.60	. . .	★	★
North Dakota	16.57	7.65 (e)	9.12	0.295	3.845	6.918	★	★	2.693
Ohio	10.04 (b)	0.52	16.19 (c)	0.18	0.0551	0.0746	0.0077	0.0280	0.0320
Oklahoma	7.65	15.3 (e)	12.5 (c)	0.42	4.23	6.92	. . .	0.0	★
Oregon	★	★	★	★	★	★	★	★	★
Pennsylvania	9.4	15.3 (e)	(c)	0.1	3.7	5.9	1.5	2.4	3.3
Rhode Island	★	7.65	10.4 (c)	. . .	★	★	★	★	★
South Carolina	★	7.65	7.55 (c)	★	★	★	★	★	★
South Dakota	5	15.3 (e)	10 (c)	0.1	3.8	5.8	1.9	1.0	2.6
Tennessee	★	7.65 (e)	6.85	(o)	4.2	5.7	★	2.6	3.7
Texas	8.9	11.9 (e)	7.5 (c)	0.1	4.6	5.2	. . .	1.3	3.3
Utah	14.7 (b)	7.65 (e)	13:39	0.13	4.83	5.43	. . .	0.125	2.45
Vermont	★	★	★	★	★	★	★	★	★
Virginia	7.46	7.65	10.12	. . .	4.24	5.77	. . .	. . .	5.77
Washington	9.5	7.2 (e)	7.61 (c)	1.14	(p)				
West Virginia	★	★	★	★	★	★	★	★	★
Wisconsin	8.6	6.98	10.55	0.16	★	★	★	0.46	★
Wyoming	★	7.65	11.25	1.0	★	★	. . .	1.24	★
Puerto Rico	★	★	★	★	★	★	. . .	★	★

TRADITIONAL BENEFITS AS PERCENTAGE OF BASE SALARY—Continued

Source: National Association of State Personnel Executives, *State Personnel Office: Roles and Functions, Second Edition*, 1992.

Note: See above referenced source for more detailed information.

Key:

★ — Benefit available; percentage figure not available

. . . — Benefit not available

(a) See Table 7.9 for more information on paid holidays.

(b) Percentage figures for health insurance benefit not available for every state. Costs related to health insurance are: Alabama: state—$195 per month per employee; California: employee—$39 to $147 per year; Colorado: employees—$29.4 million per year; Connecticut: employee—1.25 percent of base salary; Florida: state—$1,174 per employee per year, employee—$285 per year; Georgia: state—$2,250 per employee per year, employee—$750 per year; Kansas: state—$2,298 per employee per year, employee—$24 per year; Kentucky: state—$1,491 per employee per year; Maine: state—$42.1 million per year, employee—$6.4 million per year; Minnesota: employee—$359 per year; Montana: state—$1,560 per employee per year; Nebraska: state—$34.1 million per year, employees—$9.1 million per year; Ohio: employees—$83.3 million per year; Utah: employees 3.3 million per year.

(c) Percentage figures for retirement benefits not available for every state. Costs related to retirement benefit are: Alaska: employees—$26 million per year; California: employee—3.99 to 21.72 percent of base salary; Colorado: employee—8 percent; Connecticut: employee—1.85 percent of base salary; Delaware: employee—$620 per year; Georgia: employee—1.5 percent of base salary; Hawaii: 7.8 percent of contributory, 0 percent of non-contributory; Illinois: employees—$71.9 million per year; Kansas: classified employee—4 percent of base salary, unclassified employee—8 percent of base salary; Kentucky: employee—$1,157 per year; Minnesota: employee—$1,372 per year; Nebraska: state—$18.9 million per year, employees—$12.1 million per year; New Hampshire: state—$1,588 per employee per year, employee—$1,225 per year; New Jersey: based on age; New Mexico: employee—6.18 percent of base salary; Ohio: employees—$143.9 million per year; Oklahoma: employee—$459 per year; Pennsylvania: state—17.3 to 18.55 percent of state's base salary, employee—5 to 6 1/4 percent of salary, depending on date of hire; Rhode Island: employee—7.75 percent of base salary; South Carolina: employee—6 percent; South Dakota: state and employee $970 per year; Texas: employee—6 percent of base salary; Washington: state and employees—$100.6 million per year.

(d) Employee costs vary from $12 to $90 per year depending on insurance plan selected.

(e) Percentage figures for social security not available for every state. Costs related to social security are Connecticut: employees—$2,034 per year; Delaware: employees—$1,913 per year; Florida: employees—$229.5 million per year; Illinois: state and employees—$137.6 million per year; Kentucky: state and employee—$1,171 per year; Minnesota: employee—$2,250 per year; Nebraska: state and employees—$31.8 million per year; New Hampshire: state and employee—$1,874 per year; North Dakota: employee—$1,553 per year; Oklahoma: state and employee—$1,757 per year; Pennsylvania: state and employee—$2,099 per year; South Dakota—state and employee $1,485 per year; Tennessee: state and employee—$1,608 per year; Texas: employee—4.27 percent of base salary; Utah: state and employees—$26 million per year; Washington: state and employees $95.1 million per year.

(f) Unemployment insurance is directly assessed each year.

(g) Total cost to employees is $41 million per year.

(h) Total cost to employees is $6.8 million per year.

(i) Total cost to employees is $14 million per year.

(j) Employee costs are $72 per year.

(k) State costs are $440,000 per year.

(l) Maximum of $90 per employee per year.

(m) By contractual agreement.

(n) All employees receive 15 days per year accumulative.

(o) Does not pay a premium on each employee, instead reimburses for each employee claim.

(p) Paid holidays, vacation leave, civic and personal leave and sick leave taken constitute 12.2 percent of base salary.

STATE PERSONNEL ADMINISTRATION: FUNCTIONS—Continued

Source: National Association of State Personnel Executives, *State Personel Office: Roles and Functions, Second Edition,* 1992.

Note: See above referenced source for more detailed information.

(a) These functions have been computerized in the following states. **Testing Certification:** Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Washington, West Virginia, Wyoming, Puerto Rico; **Human Resource Information System:** Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, Wyoming, Puerto Rico; **Payroll:** Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Washington, West Virginia, Wyoming, Puerto Rico; **Fringe Benefits Summaries:** California (Dept. of Personnel Administration), Connecticut, Florida, Indiana, Maine, Massachusetts, Mississippi, Montana, New York, Rhode Island, South Carolina; **Job Evaluation:** Arkansas, Connecticut, Florida, Indiana, Maine, Massachusetts, Mississippi, Montana, New York, Rhode Island, South Carolina.

(b) Administrative as opposed to policy and regulation.

(c) Sign up employees for retirement and benefit programs.

(d) For adjustments to the salary and benefits plans only.

(e) Personnel managers and professional staff assigned to the agencies are employees of the central personnel authority.

(f) Establish and revise classes.

(g) Appeals only.

(h) Grievances only.

(i) Each agency has its own legislative liaison.

(j) Information practices—certification of court and administrative hearing interpreters; establish merit personnel standards for local government agencies as required by federal or state statutes.

(k) For managers.

(l) Indirect (startup support for child care facilities).

(m) Health Care Cost Containment Committee Management Relations.

(n) Shared.

(o) Other benefits (e.g., group life insurance, dental insurance, etc); personnel policies and procedures.

(p) Personnel files and records; personnel transactions.

(q) The central personnel office has system responsibility.

(r) Central Management Services serves as central coordinating agency.

(s) State Civil Service Board, Service Recognition Award, Employee Suggestions Award.

(t) Personnel Board responsible for appeals.

(u) Payroll.

(v) Through Department of Administration.

(w) Responsible for rules and regulations that govern the State Civil Service System.

(x) Management positions only.

(y) Department of Personnel Administration handles appeals of classification and civil service issues; grievances and other types of appeals handled by Office of Employee Relations; cases denied may be appealed to Civil Service Commission.

(z) Non-management positions only.

(aa) System development and supervisory training.

(bb) Disciplinary appeals only.

(cc) Pay plan only.

(dd) Leave benefit administration, personnel management consultation, Fair Labor Standards Act liaison.

(ee) With regard to compensation.

(ff) System.

(gg) Labor negotiations only.

(hh) Work performance standards.

(ii) Payroll, employee records, personnel rules.

(jj) Individual.

(kk) Policy and procedure.

(ll) Establishes policy only.

(mm) Salaries and State Personnel Office Budget.

(nn) Development of evaluation forms.

(oo) For employees exempt from collective bargaining.

(pp) For bargaining unit employees.

(qq) Human resource management and total quality management consulting services, productivity studies, executive leadership, agency head pay, higher education administration and faculty pay, conditions of employment, service awards, suggestion program, technology training, reduction in force, employee relations policy interpretation.

(rr) Decentralized personnel system.

(ss) Interpretation of all leave, State Classification Office. Interpretation of longevity, merit increases and payroll, Comptroller of Public Accounts.

(tt) Meritorious service award program; policy development.

(uu) Meritorious service award program.

(vv) Career executive program.

(ww) Dependent Care Assistance Program, Committee for Deferred Compensation.

(xx) Legal representation for centralized agencies or as required by the Board of Appeal.

Table 7.8
SELECTED EMPLOYEE LEAVE POLICIES

State or other jurisdiction	Annual leave			Sick leave					
	Accrual (in days/year)		Carryover allowed	Accrual (in days/year)	Carryover allowed	Leave used for other purposes (a)	Leave bank/ program offered	Parental leave treated as:	Child care on-site
	One year	Five years							
Alabama	13	16.08	★	13	★	★	I	M	. . .
Alaska	15	21	★	N.A.	★	★	I	M	. . .
Arizona	12	15	★ (b)	12	★	★ (c)	I	(d)	★
Arkansas	12	15	★	12	★	★	B	M	. . .
California	10.5	15	★	12	★	★	I	U	★
Colorado	12	12	★	10	★ (e)	★	I,B	(f)	. . .
Connecticut	12	15	★	15	★	★	I,B	S	★
Delaware	15	15	★	15	★	★	. . .	U	★
Florida	13	16.25	★	13	★	★	B	(g)	. . .
Georgia	15	15	★	15	★	★	. . .	A	. . .
Hawaii	21	21	★	21	★	★	. . .	A,S (h)	. . .
Idaho	12	15	★	12	★	★	. . .	M	. . .
Illinois	10	10	★	12	★	★	. . .	U	★
Indiana	12	15	★	6	★	. . .	. . .	. . .	. . .
Iowa	10	15	★	18	★	★ (i)	. . .	A,S	★
Kansas	12	15	★	12	★	★	. . .	(d)	★
Kentucky	12	15	(j)	12	★	★	I	U	. . .
Louisiana	(k)	(l)	★	varies	. . .	. . .	. . .	U (m)	. . .
Maine	12	15	★	12	★	★	. . .	U	★
Maryland	10	10	★	15	★	★	B	U	★ (n)
Massachusetts	10	15	★	15	★	★	. . .	U (o)	★ (p)
Michigan	13	15	★	13	★	★	. . .	U	★
Minnesota	13	16.25	★	13	★	★	. . .	U	. . .
Mississippi	18	21	★	(q)	★	. . .	. . .	M	. . .
Missouri	15	15	★	15	★	★	. . .	U	. . .
Montana	15	15	★ (r)	12	★	★	B	(d)	. . .
Nebraska	12	12	★	(s)	★	★	. . .	(t)	. . .
Nevada	15	15	★	15	★	★	I,B	U	. . .
New Hampshire	. . .	15	★	7.5	★	★	. . .	(u)	★
New Jersey	12	15	★	15	★	★	. . .	U	★
New Mexico	10	12	★	12	★	★	I	(v)	. . .
New York	13-14 (w)	18	★	8,10 or 13 (w)	★	★	. . .	(x)	★
North Carolina	11.75	16.75	★	12	★	★	I	A (u)	. . .
North Dakota	12	15	★	12	★	★	. . .	(y)	. . .
Ohio	14	25	★	10	★	★	. . .	A,M (z)	★
Oklahoma	15	18	★	15	★	★	I	(aa)	. . .
Oregon	12	15	★	12	★	★ (bb)	I	(d)	★
Pennsylvania	5.5	10.4	★	13	★	★	. . .	(cc)	★
Rhode Island	14	15	★	15	★	★ (dd)	. . .	U (ee)	★
South Carolina	15	15	★	15	★	★ (ff)	B	(gg)	★
South Dakota	15	15	★	14	★	★ (hh)	I	M (ii)	. . .
Tennessee	12	16.95	★	12	★	★	B	(d)	★
Texas	10.5	13.5	★	12	★	★	B	(d)	★ (jj)
Utah	13	13	★	13	★	★	I,B	M	. . .
Vermont	12	15	★	12-21	★	★	B	A (kk)	★
Virginia	12	15	★	12	★	★	. . .	S,M	★
Washington	12	15	★	12	★	★	I	(ll)	★
West Virginia	15	18	. . .	18	★	★ (hh)	. . .	(mm)	★
Wisconsin	10	15	★	13	★	★	. . .	A	. . .
Wyoming	12	15	★	12	★	★	I	(d)	★
Puerto Rico	30	30	★	18	★	. . .	. . .	M (nn)	★

SELECTED EMPLOYEE LEAVE POLICIES—Continued

Source: National Association of State Personnel Executives, *State Personnel Office: Roles and Functions, Second Edition*, 1992.

Note: See above referenced source for more detailed information.

Key:
★ — Yes
. . . — No
A — Annual leave without pay
B — Donation to a leave bank
I — Donation of leave directly to individual
M — Maternity leave only
S — Sick leave without pay
U — Unpaid leave of absence
N.A. — Not available

(a) Purposes vary across the states and individual jurisdictions should be consulted for specifics. However, sick leave typically may be used for family illness in these cases. Other purposes include medical appointments, funeral/bereavement leave, births, adoption and workers' compensation disability.

(b) Up to 30 days. Any additional carryover must be approved by Dept. of Administration director.

(c) Industrial disability, parental leave and limit of 40 hours for family member's illness.

(d) Annual leave, sick leave, compensatory credits or leave without pay.

(e) Up to 45 day maximum.

(f) Employee may use sick leave if physically unable to work, remainder of family leave is annual leave and leave without pay.

(g) Maternity leave without pay and annual, sick and compensatory leave with pay.

(h) Vacation.

(i) Emergency family care and death in the family up to 40 hours for non-contractual employees.

(j) Total amount of accrued leave and months of service determine whether carryover is allowable. Excess leave is converted to sick leave.

(k) Accrual rate is 1.8440 hours per month.

(l) Accrual rate is 2.7688 hours per month.

(m) Handled differently by each agency, usually annual leave with pay.

(n) Certain locations only.

(o) Up to eight weeks without pay.

(p) Child care program is privately owned and operates facility on state-owned property.

(q) First year employees—12 days; fifth year employees—10.5 days.

(r) Not more than two times maximum annual earned.

(s) 12 to 30 days depending on length of service.

(t) Pregnancies treated as temporary disabilities; additional leave without pay may be applied for.

(u) Annual leave

(v) No statewide policy.

(w) Depending on bargaining unit.

(x) Leave for pregnancy, childbirth and child care; child care leave for adoptive parents.

(y) Medical needs of family; limit of 40 hours per year.

(z) Sick leave to care for child.

(aa) Up to 12 weeks of sick, annual leave.

(bb) Up to five days.

(cc) Up to 183 days childbirth leave without pay with benefits.

(dd) 10 days per year.

(ee) Except where expending sick or vacation leave.

(ff) Five days for illness in immediate family; six weeks for adoption.

(gg) Up to six weeks sick leave with pay; annual leave or leave without pay for adoption

(hh) 40 hours maximum.

(ii) Father may use annual leave or 40 hours of personal leave.

(jj) At School for the Blind and Visually Impaired.

(kk) Paid and unpaid leave for parental leave.

(ll) Paid sick leave for period of disability only; paid annual leave; additional leave is without pay.

(mm) Unpaid family leave up to 12 weeks per year.

(nn) Adoption maternity leave.

STATE EMPLOYEES: PAID HOLIDAYS*—Continued

State or other jurisdiction	*Major holidays (a)*	*Martin Luther King's Birthday (b)*	*Lincoln's Birthday*	*President's Day (c)*	*Washington's Birthday (c)*	*Good Friday*	*Memorial Day (d)*	*Columbus Day (e)*	*Veteran's Day*	*Day after Thanksgiving*	*Day before or after Christmas*	*Day before or after New Year's*	*Election Day (f)*	*Other (g)*
South Dakota	★	★	. . .	★	. . .	. . .	★	. . .	★	. . .	. . .	. . .	. . .	★
Tennessee	★	★	. . .	. . .	★	★	★	(w)	★	(w)	. . .	. . .	. . .	. . .
Texas (x)	★	★	. . .	. . .	★	(g)	★	. . .	★	★	★ (y)	. . .	. . .	★
Utah	★	★ (z)	. . .	★	. . .	. . .	★	★	★	. . .	. . .	. . .	. . .	★
Vermont (n)	★	(k)	(k)	. . .	★	. . .	★	★	★	. . .	. . .	. . .	. . .	★
Virginia	★	★ (aa)	. . .	. . .	★	. . .	★	★	★	★	. . .	. . .	. . .	. . .
Washington	★	★	. . .	★	. . .	. . .	★	. . .	★	★	. . .	. . .	. . .	★
West Virginia	★	★	★	. . .	★	. . .	★	★	★	(t)	(bb) Before	(bb) Before	★ (m)	★
Wisconsin (cc)	★	★	. . .	. . .	. . .	★ (o)	★	. . .	. . .	. . .			. . .	. . .
Wyoming	★	★ (dd)	. . .	★	. . .	. . .	★	. . .	★	. . .	. . .	. . .	. . .	. . .
Dist. of Columbia	★	★	. . .	. . .	★	. . .	★	★	★	. . .	. . .	. . .	. . .	★
U.S. Virgin Islands	★	★	. . .	★	. . .	★	★	★ (ee)	★	. . .	After	. . .	. . .	★

* Holidays in addition to any other authorized paid personal leave granted state employees.

Source: The Council of State Governments' telephone survey of state personnel offices, March 1992.

Note: In some states, the governor may proclaim additional holidays or select from a number of holidays for observance by state employees. In some states, the list of paid holidays is determined by the personnel department at the beginning of each year; as a result, the number of holidays may change from year to year. Number of paid holidays may also vary across some employee classifications. Dates are given for 1992 and may change slightly for 1993. If a holiday falls on a weekend, generally employees get the day preceeding or following.

Key:

★ — Paid holiday granted.

. . . — Paid holiday not granted.

(a) New Year's Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. In 1992, Independence Day is not a paid holiday in Texas and is a floating holiday in Wisconsin.

(b) Third Monday in January except in Maryland, where holiday is observed on January 15.

(c) Generally, third Monday in February; Washington's Birthday or President's Day. In some states the holiday is called President's Day or Washington-Lincoln Day. Most frequently, this day recognizes Washington and Lincoln.

(d) Last Monday in May in all states indicated, except New Hampshire and Vermont where holiday is observed on May 30 (May 29 in 1992). Generally, states follow the federal government's observance (last Monday in May) rather than the traditional Memorial Day (May 30).

(e) Second Monday in October.

(f) General election day only, unless otherwise indicated.

(g) Additional holidays:

Alabama — Mardi Gras Day (day before Ash Wednesday) in Baldwin and Mobile Counties only, Confederate Memorial Day (fourth Monday in April), Jefferson Davis' Birthday (first Monday in June).

Alaska — Seward's Day (last Monday in March), Alaska Day (October 19). Employee's birthday may be taken as a floating holiday.

Arkansas — Employee's birthday.

California — One personal day.

Delaware — Return Day, after 12 noon (Thursday after a general election in even-numbered years), in Sussex County only.

Florida — One personal day.

Georgia — Confederate Memorial Day (fourth Monday in April).

Hawaii — Prince Jonah Kuhio Kalanianaole Day (March 26), King Kamehameha Day (June 11), Admissions Day (third Friday in August).

Kansas — Discretionary day (taken whenever employee chooses with supervisor's approval).

Louisiana — Mardi Gras Day (day before Ash Wednesday), Inauguration Day (every four years, in Baton Rouge only)

Maine — Patriot's Day (April 20).

Maryland — Maryland Day (March 25) and Defender's Day (September 12 normally, September 11 in 1992) are floating holidays; state offices remain open.

Massachusetts — Patriot's Day (third Monday in April). On Evacuation Day (March 17) and Bunker Hill Day (June 17), only offices in Suffolk County are closed. Employees outside of Suffolk County may take off another day within 30 days.

Michigan — One personal day.

Minnesota — One floating holiday.

Mississippi — Confederate's Memorial Day (last Monday in April).

Missouri — Harry Truman's Birthday (May 8).

Nebraska — Arbor Day (last Friday in April).

Nevada — Nevada Day (October 31).

New Hampshire — Floating holidays (March 1, July 1, November 1); state offices remain open.

New York — Negotiations are under way to add one floating holiday for 1992.

Rhode Island — Victory Day (second Monday in August).

South Carolina — Martin Luther King's Birthday (January 15), Robert E. Lee's Birthday (January 19), Confederate Memorial Day (May 10), and Jefferson Davis' Birthday (June 3) are non-national holidays. Employees select one of these four non-national holidays or any other day of their choice as a floating holiday.

South Dakota — Native American's Day (second Monday in October).

Texas — Confederate Heroes Day (January 19, not taken in 1992). Employees receive four additional holidays to be taken on any of the following holidays or any other day of their choice: Texas Independence Day (March 2), Sanjacinto Day (April 21), Good Friday, Emancipation Day (June 19), Lyndon Johnson's Birthday (August 27), Rosh Hashanah (September 9-10), and Yom Kippur (September 18). State offices remain open.

Utah — Pioneer Day (July 24).

Vermont — Town Meeting Day (first Tuesday in March), Battle of Bennington Day (August 16).

STATE EMPLOYEES: PAID HOLIDAYS—Continued

Washington — One personal day.

West Virginia — West Virginia Day (June 20 normally, June 19 in 1992).

District of Columbia — Inauguration Day (every four years).

U.S. Virgin Islands — Three King's Day (January 6), Transfer Day (March 31), Holy Thursday (April 16), Easter Monday (April 20), Organic Act Day (third Monday in June), Emancipation Day (July 3), Supplication Day (fourth Monday in July), Local Thanksgiving Day (third Monday in October), D. Hamilton Jackson Day (November 1).

(h) Also for Robert E. Lee's Birthday.

(i) Also for Thomas Jefferson's Birthday.

(j) Observed only in 1992.

(k) Floating holiday; employee may take another day. State offices remain open.

(l) In Georgia, Robert E. Lee's Birthday is observed the day after Thanksgiving and Washington's Birthday is observed the day after Christmas.In Indiana, Lincoln's Birthday is observed the day after Thanksgiving and Washington's Birthday is observed the day before Christmas.

(m) Also, primary election day.

(n) If a holiday falls on a Saturday, observed Friday before. If on a Sunday, observed following Monday.

(o) Half day.

(p) In Kentucky, presidential election day and 4 hours to vote on general election day. In Louisiana, Montana and South Carolina, every two years.

(q) Observed in 1992 by declaration of the governor. By statute, the governor shall proclaim Martin Luther King's Birthday as a state holiday at least once every two years.

(r) An employee who works on this day is credited with compensatory time to be used in lieu of the holiday.

(s) Also for Jefferson Davis' Birthday.

(t) Day after Thanksgiving at discretion of Governor.

(u) Day on which President's Day is observed varies. In 1992, President's Day is observed on the day after Thanksgiving.

(v) Holidays for eligible employees only, subject to the Attendance Rules for employees in New York state departments and institutions. If a holiday falls on a Sunday, it is observed on the following Monday.

(w) At discretion of governor, Columbus Day may be observed on the day after Thanksgiving.

(x) A holiday is not observed on another day if it falls on a weekend.

(y) Day before and after.

(z) Called Human Rights Day; celebrates Martin Luther King and others who worked for human rights.

(aa) Called Lee/Jackson/King Day.

(bb) Half day on Christmas Eve and New Year's Eve.

(cc) Any holiday that falls on a weekend is a floating holiday, and employees may take it whenever they choose.

(dd) Called Martin Luther King/Wyoming Equality Day.

(ee) Also for Puerto Rico/Virgin Islands Friendship Day.

Table 7.10
HEALTH INSURANCE COSTS

State or other jurisdiction	*Monthly cost to state for active employee's health insurance*		*Monthly cost to employee for active employee's health insurance*		*Monthly cost to state for retiree's health insurance*	*Monthly cost to retiree for retiree's health insurance*	*Monthly cost to state for active employee's dental insurance*		*Monthly cost to employee for active employee's dental insurance*		*Flexible benefit plans offered to shelter health benefit expenses from taxes*
	Employee only coverage $	*Family coverage $*	*Employee only coverage $*	*Family coverage $*			*Employee only coverage $*	*Family coverage $*	*Employee only coverage $*	*Family coverage $*	
Alabama	195.00	0	0	N.A.	(a)	(b)	(c)	0	0	0	Y
Alaska	386.51	386.31	0	. . .	. . .	. . .	(c)	0	0	0	Y
Arizona	148.94	318.18	11.00	90.00	0	varies	11.64	30.50	2.54	16.86	Y
Arkansas	117.50	148.00	43.56	135.38	0	61.00	. . .	. . .	. . .	. . .	Y
California	(d)	(e)	0-50.00	(f)	(g)	0-50.00	19.70	(h)	0	0	Y
Colorado	98.15	98.15	34.72	233.95	(i)	varies	13.85	13.85	0	29.62	Y
Connecticut	190.00	490.00	0	80.00	190.00	0	13.80	35.40	0	7.20	N
Delaware	180.28	440.52	0	0	0	0	0	0	10.92	26.70	N
Florida	114.70	227.54	25.66	92.30	varies	varies	0	0	varies	varies	Y
Georgia	132.74	218.67	29.56	86.44	130.50	29.56	. . .	. . .	. . .	. . .	Y
Hawaii	59.06	181.78	(j)	(j)	(k)	0	7.54	15.06	5.02	10.06	Y
Idaho	150.29	150.29	4.00	35.17	N.A.	varies	8.36	8.36	0	8.36	N
Illinois	160.24	64.47	0	76.85	160.24	0	8.00	6.00	0	0	N
Indiana	127.59	322.72	15.84	83.44	0	350.80	7.82	25.42	0	0	N
Iowa	164.64	271.98	0	111.22	0	172.87	10.28	10.28	0	17.20	Y
Kansas	191.49	296.51	1.00	192.97	0	(l)	(c)	0	0	0	Y
Kentucky	124.27	261.97	0	137.70	N.A.	(m)	0	0	N.A.	N.A.	Y
Louisiana	75.10	164.54	75.10	164.54	75.10	75.10	0	0	0	0	N
Maine	177.48	159.52	0	100.56	177.48	0	13.46	0	0	32.50	N
Maryland	107.31	268.35	.01-65.51	236.56-298.66	107.31	.01-65.51	0	0	10.04	25.18	Y
Massachusetts	109.61-210.00	271.53-468.68	12.18-35.69	30.18-79.65	(n)	12.18-35.69	0	0	0	0	N
Michigan	165.95	464.91	8.74	24.47	219.07	11.53	18.51	56.35	.99	2.96	Y
Minnesota	136.15	305.61	6.08	29.93	29.93	0	15.23	29.74	.23	15.61	N
Mississippi	85.00	optional	. . .	. . .	0	varies	. . .	. . .	. . .	. . .	Y
Missouri	105.00	15.00	0	190.67	9.00	64.39	. . .	. . .	. . .	. . .	Y
Montana	140.00	153.70	0	53.20	0	120.00	13.60	13.60	0	18.00	Y
Nebraska	100.57	356.92	22.59	80.17	0	109.74	0	0	9.13	26.37	Y
Nevada	193.75	(o)	0	varies	99.35	varies	(c)	0	0	0	Y
New Hampshire	175.00	475.00	0	0	88.93	0	15.00	47.00	0	0	Y
New Jersey	86.97	223.01	0	0	68.04	0	(p)	(q)	(p)	(r)	N
New Mexico	varies	varies	varies	varies	(s)	50.00	0	0	8.45-8.75	(t)	Y
New York	147.54	307.02	16.40	69.56	147.54	varies	23.07	23.07	0	0	Y
North Carolina	144.60	0	0	152.24	(u)	0	0	0	17.75 (v)	53.98 (v)	Y
North Dakota	108.00	304.00	0	0	0	varies	0	0	0	0	Y
Ohio	146.50	403.08	15.48	41.02	varies	varies	9.00	24.15	0	0	N
Oklahoma	145.76	145.76	0	179.10	75.00	N.A.	14.00	N.A.	0	37.34	Y
Oregon	166.01	260.57	0	0	31.36-175.81	(w)	17.63	52.39	0	0	Y
Pennsylvania	216.00	216.00	0	0	171.00	0 (x)	13.27 (y)	42.86 (y)	0	0	N
Rhode Island	156.00	388.00	0	0	0	132.00	15.06	48.71	0	0	N
South Carolina	130.55	130.55	(z)	(aa)	18.00	18.00	9.88	9.88	0	21.34	Y

See footnotes at end of table.

HEALTH INSURANCE COSTS—Continued

State or other jurisdiction	*Monthly cost to state for active employee's health insurance*		*Monthly cost to employee for active employee's health insurance*		*Monthly cost to state for retiree's health insurance*	*Monthly cost to retiree for retiree's health insurance*	*Monthly cost to state for active employee's dental insurance*		*Monthly cost to employee for active employee's dental insurance*		*Flexible benefit plans offered to shelter health benefit expenses from taxes*
	Employee only coverage $	*Family coverage $*	*Employee only coverage $*	*Family coverage $*			*Employee only coverage $*	*Family coverage $*	*Employee only coverage $*	*Family coverage $*	
South Dakota	79.97	0	0	171.00	0	79.97	0	0	13.75	34.38	Y
Tennessee	77.20	193.98	19.42	48.50	55.28	41.84	0	0	12.00 or 21.90	26.00 or 59.90	Y
Texas	154.50	210.10	134.50	385.23	154.50	134.50	. . .	. . .	. . .	. . .	Y
Utah	121.20	333.67	13.48	37.07	0	10.50-47.50	20.74	38.33	5.18	9.58	Y
Vermont	108.23	300.34	27.06	75.09	108.23	27.06	. . .	23.00	0	0	Y
Virginia	143.00	276.00	0	147.00	N.A.	143.00	. . .	. . .	. . .	. . .	Y
Washington	217.65	217.65	0	0	0	(bb)	34.08	34.08	0	0	N
West Virginia	182.00	404.00	0	(cc)	0	42.00	. . .	. . .	. . .	. . .	Y
Wisconsin	(dd)	(ee)	(ff)	(gg)	0	N.A.	. . .	. . .	. . .	. . .	N
Wyoming	145.00	145.00	0	177.00	0	108.00	0	0	6.75	20.30	Y
Puerto Rico	40.00	0	varies	varies	40.00	varies	. . .	. . .	. . .	. . .	N

Source: National Association of State Personnel Executives, *State Personnel Office: Roles and Functions, Second Edition*, 1992.

Note: See above referenced source for more detailed information.

Key:

Y — Yes

N — No

N.A. — Cost not available

. . . — Not applicable

(a) If employee is under 65, then monthly cost is $94; if employee is over 65, then the monthly cost is $195.

(b) If employee is under 65, then monthly cost is $101; if employee is over 65, then the monthly cost is $94.

(c) Included in health package.

(d) Up to $174.

(e) Two party costs $323; three party costs $410.

(f) Family coverage costs $0-$101 for two party; $0-157 for three party.

(g) Cost for the employee runs up to $180; two party family coverage costs $334; three party family coverage costs $424.

(h) Two party, $35.69; three party, $50.40.

(i) Provided by separate retirement authority.

(j) Varies according to plan selected.

(k) 100 percent of premium, which varies according to plan selected.

(l) Non-Medicare eligible employees pay $162.79 per month; Medicare eligible employees pay $89.90.

(m) If 20 or more years of service, then employee pays nothing.

(n) Cost to the state ranges from $109.61-$210.00 for employee only coverage and $271.53-$468.68 for family coverage.

(o) Coverage not available.

(p) $2.65 DPO, $4.99 Prudential.

(q) $7.54 DPO, $12.84 Prudential.

(r) $7.53 DPO, $12.84 Prudential.

(s) New program; monthly costs not yet determined, but currently 1 percent of state payroll and 1/2 percent of employee payroll.

(t) One dependent, $14.95-14.99; two or more dependents, $19.89-24.01.

(u) $82.14 if eligible for Medicare; $107.90 if not eligible for Medicare.

(v) Not available in all departments/university.

(w) Over age 65—$60.00; under 65—$65-$145.00

(x) No cost if eligible for fully state paid coverage. Varies for others based on retirement date from $126.53 to $255.32 for individual coverage and from $258.05 to $685.30 for multiparty coverage.

(y) Management employees only.

(z) Plan A costs $11.70 and Plan B costs $14.72.

(aa) Plan A costs $113.64 and Plan B costs $142.12.

(bb) $116.41 for non-Medicare; $72.87 for Medicare.

(cc) Children only, $20 monthly; spouse only, $35 monthly; children and spouse, $40 monthly.

(dd) Total cost to the state for employees only coverage is $2,038,907 per month.

(ee) Total cost to the state for family coverage is $11,280,559 per month.

(ff) Total cost to employees is $113,507.

(gg) Total cost to employees is $329,291.

Table 7.11
VARIOUS TYPES OF INSURANCE PLANS OFFERED TO STATE EMPLOYEES

State or other jurisdiction	*Liability insurance*	*Workers' compensation*	*Unemployment compensation*	*Life insurance provided*	*AD&D* (a) *to employees*	*AD&D* (a) *tied with life insurance*
Alabama	★	★	★	★	. . .	N.A.
Alaska	★	★	★	★	★	★
Arizona	★	★	★	★	★	★
Arkansas	. . .	★	★	★	★	★
California	★	★	★	★ (b)	★	★
Colorado	★	★	★	★	. . .	N.A.
Connecticut	(c)	★	★	★	. . .	. . .
Delaware	(d)	★	★	★ (e)	★	★
Florida	★	★	. . .	★	★	★
Georgia	★	★	★	★	. . .	N.A.
Hawaii	★	★	★	★	. . .	N.A.
Idaho	★	★	★	★	★	★
Illinois	. . .	★	★	★	★	. . .
Indiana	. . .	★	★	★	★	★
Iowa	★	★	★	★	★	★
Kansas	★	★	★	★	★	. . .
Kentucky	. . .	★	. . .	★	★	★
Louisiana	★	★	★	★	★	★
Maine	★	★	★	★	★	★
Maryland	★	★	★	★	★	★
Massachusetts	. . .	★	★	★	★	★
Michigan	. . .	★	★	★	★	★
Minnesota	. . .	★	. . .	★	★	★
Mississippi	. . .	★	★	★	★	★
Missouri	★	★	★	★	. . .	. . .
Montana	★	★	★	★	★	★
Nebraska	★	★	★	★	. . .	. . .
Nevada	★	★	★	★	★	. . .
New Hampshire	★	★	★	★	★	★
New Jersey	★	★	★	★	. . .	. . .
New Mexico	★	★	★	★	★	★
New York	★	★	★	★	★	★
North Carolina	★	★	★	★	. . .	N.A.
North Dakota	. . .	★	★	★	★	★
Ohio	. . .	★	★	★	★	★
Oklahoma	★	★	★	★	★	. . .
Oregon	★	★	★	★	★	. . .
Pennsylvania	★	★	★	★	★	★
Rhode Island	. . .	★	★	★	★	★
South Carolina	★	★	★	★	★	. . .
South Dakota	★	★	★	★	★	★
Tennessee	★	★	★	★	★	★
Texas	★	★	★	★	★	★
Utah	★	★	★	★	. . .	N.A.
Vermont	★	★	★	★	★	★
Virginia	. . .	★	★	★	★	★
Washington	★	★	★	★	★	★
West Virginia	★	★	★	★	★	★
Wisconsin	. . .	★	★	★	★	★
Wyoming	★	(f)	★	★	★	★
Puerto Rico	★	★	★	. . .	★	. . .

Source: National Association of State Personnel Executives, *State Personnel Office: Roles and Functions, Second Edition*, 1992.

Note: See above referenced source for more detailed information.

Key:

★ — Plan offered to state employees
. . . — Plan not offered to state employees
N.A. — Not applicable

(a) Accidental Death and Dismemberment Insurance.
(b) Managers and supervisors only.
(c) Under the Hold Harmless Law, an attorney will be provided.
(d) Sovereign immunity.
(e) Available at cost.
(f) Office and non-hazardous jobs.

Table 7.9
STATE EMPLOYEES: PAID HOLIDAYS*

State or other jurisdiction	*Major holidays (a)*	*Martin Luther King Birthday (b)*	*Lincoln's Birthday*	*President's Day (c)*	*Washington's Birthday (c)*	*Good Friday*	*Memorial Day (d)*	*Columbus Day (e)*	*Veteran's Day*	*Day after Thanksgiving*	*Day before or after Christmas*	*Day before or after New Year's*	*Election Day (f)*	*Other (g)*
Alabama	★	★ (h)	...	...	★ (i)	...	(j)	★	★	...	...	...	...	★
Alaska	★	★	(k)	★	...	...	★	...	★	...	...	...	...	★
Arizona	★	...	★	...	★	...	★	★	★	...	...	...	...	...
Arkansas	★	★ (h)	...	...	★	...	★	...	★	★	Before	...	...	★
California	★	★	★	...	★	...	★	★	★	★	...	...	...	★
Colorado	★	★	...	★	...	...	★	★	★	...	...	...	...	...
Connecticut	★	★	★	...	★	★	★	★	★	...	...	...	...	...
Delaware	★	★	...	★	...	★	★	★	★	★	...	...	★	★
Florida	★	★	...	...	...	...	★	...	★	★	...	...	...	★
Georgia	★	★	...	...	(l)	...	★	★	★	(l)	(l)	...	...	★
Hawaii	★	★	...	★	...	★	★	...	★	...	...	...	★	★
Idaho	★	★	...	★	...	...	★	★	★	...	...	...	...	...
Illinois	★	★	★	...	★	...	★	★	★	★	...	...	★	...
Indiana	★	★	(l)	...	(l)	★	★	★	★	(l)	(l)	...	★ (m)	...
Iowa	★	★	...	...	...	...	★	...	★	★	...	...	...	...
Kansas	★	★	...	...	...	...	★	...	★	★	Before	...	...	★
Kentucky (n)	★	★	...	★	...	★ (o)	★	...	...	★	★	★	(p)	...
Louisiana	★	(q)	...	...	...	★	...	...	★	...	...	...	★ (p)	★
Maine	★	★	...	...	★	...	★	★	★	★	...	...	...	★
Maryland	★	★	(k)	...	★	★ (r)	★	★	★	...	...	...	★	★
Massachusetts	★	★	...	...	★	...	★	★	★	...	...	...	...	★
Michigan	★	★	...	★	...	...	★	...	★	★	Before	Before	...	★
Minnesota	★	★	...	★	...	...	★	...	★	★	...	...	...	★
Mississippi	★	★ (h)	...	...	★	...	★ (s)	...	★	(t)	...	...	...	★
Missouri	★	★	★	...	★	...	★	★	★	(t)	...	...	...	★
Montana	★	★	...	★	...	...	★	★	★	...	...	...	★ (p)	...
Nebraska (n)	★	★	...	★	...	...	★	★	★	★	...	...	...	★
Nevada (n)	★	★	...	...	★	...	★	(j)	★	★	...	...	...	★
New Hampshire	★	...	...	...	★	...	★	...	★	★	...	...	...	★
New Jersey	★	★	★	...	★	★	★	★	★	(t)	...	...	★	...
New Mexico	★	★	...	(u)	...	...	★	★	★	(u)	...	...	...	...
New York (v)	★	★	(k)	...	★	...	★	★	★	...	...	...	...	★
North Carolina	★	★	...	...	...	★	★	...	★	★	Before	...	...	...
North Dakota (n)	★	★	...	...	★	★	★	...	★	...	...	...	...	...
Ohio	★	★	...	★	...	...	★	★	★	...	...	...	...	...
Oklahoma	★	★	...	★	...	...	★	...	★	★	...	...	...	...
Oregon	★	★	...	★	...	...	★	...	★	...	...	...	...	...
Pennsylvania	★	★	...	★	...	...	★	★	★	★	...	...	...	...
Rhode Island	★	★	...	...	...	...	★	★	★	...	...	...	★	★
South Carolina (n)	★	(g)	...	...	★	...	★	...	★	★	After	...	★ (p)	★

Table 7.12
LIFE INSURANCE

State or other jurisdiction	*Cost in cents per $1,000 coverage*	*Based on age*	*Based on salary*	*Fixed amount*	*Other*	*Fixed level*	*Maximum dollar coverage*	*Point at which long-term disability becomes effective*
Alabama	N.A.	...	★	...	...	N.A.	N.A.	N.A.
Alaska	N.A.	...	★	...	...	N.A.	$60,000	N.A.
Arizona	19	...	...	★	...	$5,000	3 X salary	6 mos.
Arkansas	N.A.	★	...	★	...	5,000	50,000	N.A.
California	25	...	...	★	...	(a)	(a)	6 mos.
Colorado	17	...	...	★	★	12,000	N.A.	(b)
Connecticut	20	...	★	...	...	N.A.	(c)	N.A.
Delaware	varies	★	★	...	...	N.A.	50,000	(d)
Florida	20	★	★	...	★(e)	N.A.	N.A.	(f)
Georgia	(g)	...	★	...	...	N.A.	1.5 X salary	(h)
Hawaii	varies	★	...	...	...	N.A.	29,400	N.A.
Idaho	(i)	...	★	...	...	N.A.	N.A.	6 mos.
Illinois	45	★	...	...	...	N.A.	4 X salary	30 days
Indiana	11 (j)	...	★	...	...	(k)	none	6 mos.
Iowa	(l)	...	...	...	★ (l)	N.A.	50,000	(m)
Kansas	N.A.	...	★	...	...	N.A.	(n)	180 days
Kentucky	16	...	...	★	...	6,560	100,000	N.A.
Louisiana	88	...	★	...	...	N.A.	40,000	N.A.
Maine	13 (bi-weekly)	...	★	...	...	N.A.	none	(o)
Maryland	(p)	...	★	...	...	N.A.	300,000	N.A.
Massachusetts	8 (monthly)	★	★	★	...	5,000	8 X salary	90 days
Michigan	15	...	★	...	...	N.A.	2 X salary	(q)
Minnesota	N.A.	★	★	★	N.A.	(r)	(r)	181 days
Mississippi	100	...	★	...	...	N.A.	N.A.	N.A.
Missouri	27	...	...	★	...	15,000	3 X salary	6 mos.
Montana	27	...	...	★	★	10,000	200,000	N.A.
Nebraska	24	...	...	★	...	10,000	3 X salary	varies
Nevada	40	...	...	★	...	N.A.	20,000	6 mos.
New Hampshire	4.5	...	...	★	...	10,000	100,000	N.A.
New Jersey	367	...	★	...	...	N.A.	3 X salary	(s)
New Mexico	581	...	...	★	...	20,000	1.5 X salary	N.A.
New York	(t)	...	★	...	...	(u)	5 X salary	N.A.
North Carolina	(v)	...	...	...	...	N.A.	varies	N.A.
North Dakota	28	...	...	★	...	2,000	200,000	N.A.
Ohio	26	...	★	...	...	salary	salary	N.A.
Oklahoma	32.5	...	...	★	...	20,000	40,000	150 days
Oregon	43	...	...	★	...	5,000	250,000	(w)
Pennsylvania	29.6	...	★	...	...	salary	40,000	(x)
Rhode Island	27.6	...	★	...	...	N.A.	(y)	3 mos.
South Carolina	(z)	...	★	...	★ (aa)	N.A.	(bb)	91 days
South Dakota	23.5	...	★	...	...	N.A.	25,000	1 yr.
Tennessee	25.6 (cc)	...	★	...	...	N.A.	50,000	N.A.
Texas	(dd)	...	...	★	...	(dd)	(ee)	90 days
Utah	200	...	...	★	...	18,000	200,000	5 mos.
Vermont	33.6	...	...	...	★ (ff)	N.A.	200,000	N.A.
Virginia	54	...	★	...	...	N.A.	2.5 X salary	(gg)
Washington	(hh)	...	★	...	...	N.A.	N.A.	(ii)
West Virginia	0	...	...	★	...	10,000	1.5 X salary	(jj)
Wisconsin	(kk)	...	★	...	...	N.A.	2 X salary	12 mos.
Wyoming	22	★	...	...	...	N.A.	46,000	N.A.
Puerto Rico	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	(ll)

LIFE INSURANCE—Continued

Source: National Association of State Personnel Executives, *State Personnel Office: Roles and Functions, Second Edition*, 1992.

Note: See above referenced source for more detailed information.

Key:
★ — Yes
. . . — No
N.A. — Not applicable

(a) $25,000 for supervisors; $50,000 for managers.

(b) No Long-Term Disability benefit; voluntary 100 percent employee paid plan is available—coverage begins at 180 days.

(c) $38,000 for most; $85,000 for managers.

(d) Long-term disability which qualifies for a disability pension requires that the individual be employed for five years.

(e) Classified employees receive 2 X salary; legislators receive $150,000.

(f) Disability insurance has 52 weeks maximum benefit period, available only to legislators, classified employees. Premiums are paid by the state. Classified includes senior management service, selected exempt service.

(g) Salary based; 1 percent of salary.

(h) Early retirement because of total disability after 13 years, 4 months.

(i) .0097 X salary.

(j) Employee pays 7 cents per $1,000 coverage.

(k) 150 percent annual salary.

(l) $2 per $10,000 per month per employee.

(m) Employee must either exhaust all accrued sick leave or at 90 days long-term disability becomes effective.

(n) 150 percent of current rate of compensation.

(o) Members may be considered for disability retirement at any time during membership. Determinations of eligibility are made by the Maine State Retirement System.

(p) 9 to 878 based on age.

(q) After use of accumulated sick leave, long-term disability becomes effective.

(r) For basic coverage, up to amount of salary; for optional coverage, varies by bargaining unit but typically the employee may purchase up to $250,000 with evidence of insurability.

(s) Upon exhaustion of accrued personal leave.

(t) $0.34 cents to $3.46, depending on age and whether a smoker.

(u) Employees have choice of several fixed levels.

(v) Various plans and coverage offered with employee paying entire premium.

(w) 90th or 180th day.

(x) 5 years (Disability Retirement).

(y) Unlimited coverage - based on salary.

(z) 0.2 percent of annual salary—police; .15 percent of annual salary—regular.

(aa) Group—1 year salary; optional-based on salary range.

(bb) Based on salary.

(cc) Spouse 85.6 cents; children 26.9 cents.

(dd) $1.85 for basic $4,000 per month.

(ee) Optional additional life dependent upon age and salary.

(ff) 2 X salary with $20,000 minimum.

(gg) This is part of retirement.

(hh) Varies between $.054 and $1.227 depending on employee age and smoker/non-smoker.

(ii) Varies from 30-180 day waiting period, depending on employee selection.

(jj) Disability retirement available after 10 years of service.

(kk) Varies depending on age.

(ll) When the State Insurance Fund or the Retirement Agency determines.

Table 7.13
DEFERRED COMPENSATION: ELIGIBILITY FOR 457 PLANS

	Jurisdictions					*Employees*			
State	*State*	*Local government*	*Universities*	*Public schools*	*Other*	*All eligible*	*Part-time excluded*	*Hourly excluded*	*Independent contractors excluded*
Alabama	★	★	★	★	. . .	★	. . .	. . .	. . .
Alaska	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	★
Arizona	★	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .
Arkansas	★	. . .	. . .	. . .	. . .	. . .	★	. . .	. . .
California	★	. . .	★	. . .	★	. . .	★	★	★
Colorado	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	★
Connecticut	★	. . .	★	. . .	. . .	. . .	. . .	. . .	★
Delaware	★	. . .	. . .	. . .	. . .	. . .	★	. . .	★
Florida	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Georgia	★	. . .	. . .	. . .	. .	. . .	. . .	. . .	★
Hawaii	★	★	★	★	. . .	. . .	. . .	. . .	. . .
Idaho	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Illinois	★	. . .	★	. . .	. . .	★	. . .	. . .	. . .
Indiana	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	★
Iowa	★	. . .	. . .	. . .	. . .	. . .	★	. . .	★
Kansas	★	★	★	★	. . .	★	. . .	. . .	. . .
Kentucky	★	★	★	★	★	★	. . .	. . .	. . .
Louisiana	★	★	★	. . .	. . .	★	. . .	. . .	. . .
Maine	★	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .
Maryland	★	★	★	★	. . .	. . .	. . .	. . .	★
Massachusetts	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Michigan	★	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .
Minnesota	★	★	★	★	. . .	★	. . .	. . .	. . .
Mississippi	★	★	★	★	. . .	. . .	★	★	. . .
Missouri	★	. . .	. . .	. . .	. . .		. . .	. . .	. . .
Montana	★	. . .	★	. . .	. . .	★	. . .	. . .	. . .
Nebraska	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Nevada	★	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .
New Hampshire	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
New Jersey	★	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .
New Mexico	★	★	★	★	★	★	. . .	. . .	. . .
New York	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
North Carolina	★	. . .	. . .	. . .	. . .	. . .	★	★	★
North Dakota	★	★	★	. . .	. . .	. . .	★	. . .	★
Ohio	★	★	. . .	. . .	. . .	. . .	★	. . .	★
Oklahoma	★	. . .	★	. . .	. . .	★	. . .	. . .	. . .
Oregon	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	★
Pennsylvania	★	. . .	. . .	. . .	. . .	. . .	★	. . .	★
Rhode Island	★	. . .	. . .	. . .	. . .	. . .	★	. . .	. . .
South Carolina	★	★	★	★	. . .	★	. . .	. . .	. . .
South Dakota	★	★	★	★	. . .	. . .	★	. . .	. . .
Tennessee	★	. . .	★	. . .	. . .	. . .	. . .	. . .	★
Texas	★	. . .	★	. . .	. . .	. . .	. . .	. . .	★
Utah	★	★	★	★	★	★	. . .	. . .	. . .
Vermont	★	★	. . .	. . .	. . .	. . .	★	. . .	. . .
Virginia	★	. . .	★	. . .	. . .	. . .	. . .	★	. . .
Washington	★	★	★	★	★	★	. . .	. . .	. . .
West Virginia	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Wisconsin	★	★	★	★	. . .	. . .	. . .	. . .	★
Wyoming	★	★	★	★	. . .	. . .	. . .	. . .	★

Source: National Association of Government Deferred Compensation Administrators, *1989 Survey of 457 Plans*, 1990.

Note: See above referenced source for more detailed information.

Key:
★ — Eligible
. . . — Not eligible
N.A. — Not available

Table 7.14
DEFERRED COMPENSATION: ADMINISTRATIVE SERVICES

State	*Third party administrator* (a)			*Consultant* (a)			*Investment provider* (a)			*In-house* (a)		
	Communication & enrollment	*Recordkeeping*	*Advisory*	*Communication & enrollment*	*Recordkeeping*	*Advisory*	*Communication & enrollment*	*Recordkeeping*	*Advisory*	*Communication & enrollment*	*Recordkeeping*	*Advisory*
Alabama	★	★	★	...	...	...	...	...	...	...	...	★
Alaska	...	...	...	...	...	★	...	★	...	★	★	★
Arizona	★	★	★	...	...	...	...	...	...	...	...	...
Arkansas	...	...	...	...	...	...	★	★	★	...	...	...
California	...	...	...	...	...	★	...	★	...	★	...	★
Colorado	★	...	...	...	...	★	...	★	...	★	...	...
Connecticut	★	...	★	...	...	...	★	★	...	...	★	...
Delaware	...	...	...	...	...	...	★	★	...	★	★	★
Florida	...	★	...	...	...	...	★	...	★	★	★	★
Georgia	...	★	...	...	...	★	...	...	...	★	★	...
Hawaii	★	★	★	...	...	★	★	★	...	...	...	★
Idaho	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Illinois	...	...	...	...	...	★	...	★	...	★	...	★
Indiana	★	★	★	...	...	...	...	★	...	...	...	...
Iowa	...	...	...	...	...	...	★	★	...	★	★	★
Kansas	★	★	★	...	...	★	★	★	...	★	★	★
Kentucky	...	...	...	★	...	★	...	★	...	...	★	★
Louisiana	...	...	...	...	...	...	★	★	★	...	...	...
Maine	★	★	★	...	...	...	★	★	★	★	★	★
Maryland	★	★	...	...	...	...	...	...	...	★	...	★
Massachusetts	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Michigan	...	...	...	...	...	...	...	...	...	★	★	★
Minnesota	...	...	...	...	...	★	★	★	...	★	★	★
Mississippi	★	★	★	...	...	...	...	...	...	...	...	★
Missouri	★	★	★	...	...	...	...	★	...	...	...	★
Montana	★	...	...	...	...	★	...	★	...	...	...	...
Nebraska	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Nevada	...	...	...	...	...	...	★	★	...	★	...	★
New Hampshire	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
New Jersey	...	...	...	...	...	...	...	...	...	★	★	★
New Mexico	★	★	★	...	...	...	...	...	...	...	...	...
New York	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
North Carolina	★	★	★	...	...	...	...	★	...	...	...	★
North Dakota	...	...	...	...	...	...	★	★	...	...	★	★
Ohio	...	...	...	...	...	...	...	...	...	...	★	★
Oklahoma	...	...	...	...	...	...	★	★	...	★	★	★
Oregon	...	...	...	...	...	...	★	★	...	★	★	★
Pennsylvania	★	★	★	...	...	...	...	...	...	...	...	...
Rhode Island	...	...	...	...	...	★	★	★	...	★	★	★
South Carolina	★	★	★	...	...	...	...	★	...	...	...	...
South Dakota	★	...	...	...	...	...	...	...	...	...	...	★
Tennessee	★	★	★	...	...	...	...	...	...	...	...	★
Texas	...	...	...	...	...	...	★	★	★	★	★	★
Utah	...	...	...	★	...	★	...	...	...	★	★	★
Vermont	...	...	...	★	★	★	★	★	★	...	...	★

See footnotes at end of table.

DEFERRED COMPENSATION: ADMINISTRATIVE SERVICES—Continued

	Third party administrator (a)			*Consultant* (a)			*Investment provider* (a)			*In-house* (a)		
State	*Communication & enrollment*	*Recordkeeping*	*Advisory*	*Communication & enrollment*	*Recordkeeping*	*Advisory*	*Communication & enrollment*	*Recordkeeping*	*Advisory*	*Communication & enrollment*	*Recordkeeping*	*Advisory*
Virginia	. . .	. . .	. . .	. . .	. . .	. . .	★	★	. . .	★	★	★
Washington	. . .	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .	★	★	★
West Virginia	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Wisconsin	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	★
Wyoming	. . .	. . .	. . .	. . .	★	★	. . .	★	. . .	. . .	. . .	. . .

Source: National Association of Government Deferred Compensation Administrators, *1989 Survey of 457 Plans*, 1990.

Note: See above referenced source for more detailed information.

Key:
★ — Service provided
. . . — Not provided
N.A. — Not available

(a) Provides the various services necessary to administer a 457 plan.

Table 7.15
DEFERRED COMPENSATION: INVESTMENT OPTIONS FOR 457 PLANS

State	*Fixed annuity*	*Variable annuity*	*Guaranteed investment contract*	*Life insurance*	*Money market mutual fund*	*Stock mutual fund*	*Bond mutual fund*	*Balance mutual fund*	*Managed portfolio*	*Bank or S&L*	*Other*
Alabama	★	★	...	★	...	...	...	...	...	...	...
Alaska	...	...	★	...	...	★	★	...	...	...	...
Arizona	★	★	...	★	★	★	★	...	...	...	(a)
Arkansas	★	★	...	...	...	...	...	...	★	...	...
California	...	...	★	...	★	★	★	★	...	★	(b)
Colorado	★	★	...	...	★	★	★	...	...	★	...
Connecticut	★	★	...	★	...	...	...	...	...	...	...
Delaware	★	...	...	...	...	...	...	★	★	★	...
Florida	★	★	...	...	★	★	★	...	...	★	...
Georgia	...	...	★	...	★	★	★	★	...	...	(b)
Hawaii	★	★	...	...	...	...	...	...	...	★	...
Idaho	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Illinois	...	...	★	...	★	★	★	★	...	...	...
Indiana	★	★	...	...	...	...	...	...	...	...	...
Iowa	★	★	...	★	...	...	...	...	...	...	...
Kansas	★	★	...	...	...	...	...	...	...	...	...
Kentucky	★	★	...	★	★	★	★	★	...	...	...
Louisiana	★	★	...	★	...	★	...	...	...	...	(c)
Maine	★	★	...	★	★	★	★	...	★	...	...
Maryland	★	...	★	...	★	★	...	★	...	...	...
Massachusetts	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Michigan	...	...	★	...	...	...	...	...	...	...	(b)
Minnesota	★	★	★	...	★	★	★	★	...	...	...
Mississippi	★	★	★	★	★	★	★	...	...	...	(b)
Missouri	★	★	...	...	★	★	★	★	★	...	...
Montana	★	★	...	...	...	...	...	...	...	...	...
Nebraska	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Nevada	★	★	...	...	...	...	...	...	...	...	...
New Hampshire	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
New Jersey	...	...	...	...	★	★	★	...	...	...	...
New Mexico	★	★	★	★	★	★	★	★	...	...	...
New York	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
North Carolina	★	★	...	...	...	...	...	...	...	...	...
North Dakota	★	★	...	★	★	★	★	★	...	★	...
Ohio	★	★	...	...	★	★	★	★	...	...	...
Oklahoma	★	...	★	...	★	★	★	★	...	★	...
Oregon	★	★	...	...	...	...	...	...	...	★	(a)
Pennsylvania	★	...	...	...	...	★	★	...	...	...	(c)
Rhode Island	★	★	★	★	...	★	★	★	...	...	...
South Carolina	★	...	...	★	...	...	...	...	...	...	...
South Dakota	★	...	...	...	★	★	★	★	...	...	...
Tennessee	★	...	...	...	★	★	...	★	...	★	...
Texas	★	★	★	★	★	★	★	★	★	★	(a)
Utah	★	...	...	...	...	...	...	...	★	...	(b,c)
Vermont	★	★	★	★	★	★	★	...	★	...	...
Virginia	★	★	...	...	★	...	...	...	★	...	...
Washington	...	...	...	...	...	★	★	...	...	...	(c)
West Virginia	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Wisconsin	...	...	★	...	★	★	★	★	...	★	...
Wyoming	★	★	...	★	★	★	★	...	...	★	...

Source: National Association of Government Deferred Compensation Administrators, *1989 Survey of 457 Plans*, 1990.

Note: See above referenced source for more detailed information.

Key:

★ — Investment option offered

. . . — Investment option not offered

N.A. — Not available/applicable

(a) Credit union.

(b) Separate bids on annuity rates.

(c) In-house savings pool.

Table 7.16
DEFERRED COMPENSATION: PARTICIPANT CHARGES FOR 457 PLANS

	Investment provider (a)				*Third party* (a)			*In-house* (a)	
State	*Percentage of asset before earning credited*	*Periodic administrative fee*	*Surrender fees*	*Other*	*Percentage of assets (basis point fee)*	*Periodic administrative fee*	*Surrender fees*	*Percentage of asset*	*Periodic administrative fee*
Alabama	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Alasks	★	. . .	. . .	. . .	. . .	. . .	. . .	★	. . .
Arizona	★	. . .	. . .	. . .	★	★	. . .	. . .	. . .
Arkansas	. . .	. . .	★	(b)	. . .	. . .	. . .	. . .	. . .
California	★	★	. . .	. . .	. . .	. . .	. . .	. . .	★
Colorado	★	. . .	. . .	. . .	. . .	. . .	. . .	★	. . .
Connecticut	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .
Delaware	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .	★
Florida	★	★	★	(b,c,d)	. . .	★	. . .	. . .	. . .
Georgia	★	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .
Hawaii	. . .	★	★	. . .	. . .	. . .	. . .	. . .	. . .
Idaho	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Illinois	★	. . .	. . .	. . .	. . .	★	. . .	★	. . .
Indiana	. . .	★	★	. . .	. . .	. . .	. . .	. . .	. . .
Iowa	★	★	★	(c)	. . .	. . .	. . .	. . .	. . .
Kansas	★	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .
Kentucky	★	. . .	★	. . .	. . .	. . .	. . .	. . .	★
Louisiana	★	. . .	. . .	. . .	★	★	. . .	. . .	★
Maine	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Maryland	★	. . .	. . .	(c)	★	★	★	★	. . .
Massachusetts	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Michigan	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Minnesota	★	★	★	(b)	. . .	. . .	. . .	. . .	★
Mississippi	★	. . .	. . .	(d)	★	★	. . .	. . .	. . .
Missouri	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .
Montana	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .	★
Nebraska	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Nevada	★	★	★	. . .	. . .	. . .	. . .	. . .	★
New Hampshire	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
New Jersey	★	. . .	. . .	. . .	. . .	. . .	. . .	★	. . .
New Mexico	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .
New York	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
North Carolina	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .
North Dakota	★	★	★	(b,d)	. . .	. . .	. . .	. . .	. . .
Ohio	★	. . .	★	. . .	. . .	. . .	. . .	★	. . .
Oklahoma	. . .	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Oregon	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .
Pennsylvania	★	. . .	★	. . .	★	★	. . .	★	★
Rhode Island	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .
South Carolina	. . .	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .
South Dakota	★	. . .	. . .	. . .	★	★	★	. . .	. . .
Tennessee	★	. . .	. . .	(c)	★	. . .	. . .	. . .	. . .
Texas	★	★	★	(b,c,d,e)	. . .	. . .	. . .	. . .	. . .
Utah	★	. . .	. . .	. . .	★	. . .	. . .	★	. . .
Vermont	★	★	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Virginia	★	★	★	(d)	. . .	. . .	. . .	. . .	. . .
Washington	. . .	. . .	. . .	. . .	. . .	. . .	. . .	★	. . .
West Virginia	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Wisconsin	. . .	. . .	. . .	. . .	★	★	. . .	. . .	. . .
Wyoming	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .

Source: National Association of Government Deferred Compensation Administrators, *1989 Survey of 457 Plans*, 1990.

Note: See above referenced source for more detailed information.

Key:
★ — Fee charged to plan participants
. . . — Fee not charged
N.A. — Not available/applicable

(a) Provides the various services necessary to administer a 457 plan.
(b) Front-end sales load.
(c) Interest rate adjustment.
(d) Optional transaction.
(e) First-year underwriting.

Table 7.17
POLICIES DURING DOWNSIZING

State or other jurisdiction	Early retirement incentives	Reduction in force policy	Job sharing	Productivity reward system	Mandatory unpaid leave policy	Contract out any functions/ services	Out-placement	Employ telecommuters	Offer retraining/ counseling services	Mandate hiring freeze	Initiate voluntary hours reduction	Deferred payment for time worked	Mandate pay increase freeze	Promote concession bargaining
Alabama	...	★	★	...	★	...	...	...	...	★	★	...	★	...
Alaska	★	★	★	...	...	★ (a)	...	...	...	...	★	...	...	★
Arizona	...	★	...	...	...	★ (b)	...	★	...	★	...	...	★	...
Arkansas	...	...	★	...	...	...	...	★	★	★	...	...	★	...
California	★	★	★	...	...	...	...	★	★	★	★	...	★	★
Colorado	...	★	★	★	★	★	★	...	★	★	★	...	★	...
Connecticut	★	★	★	★ (c)	★	...	★	...	...	★	...	...	★	★
Delaware	★	★	★	★ (d)	...	★ (e)	...	...	...	★	★	...	...	...
Florida	...	★	★	★ (f)	...	★ (g)	...	★	★	★	...	...	★	...
Georgia	...	★	...	...	...	...	...	...	★	★	...	...	★	...
Hawaii	...	★	★	...	...	...	...	★ (h)	...	★	...	★	...	...
Idaho	...	★	★	...	...	★ (i)	★	★	★	...	...	...	...	...
Illinois	...	★	★	★ (j)	★	★ (k)	...	...	...	★	...	...	★	★
Indiana	...	★	★	...	...	★	...	...	...	★	...	...	★	...
Iowa	...	★	★	★	...	...	★	...	...	★	...	...	★	★
Kansas	★	...	★	★ (l)	...	★ (m)	...	...	...	★	...	...	★	...
Kentucky	★	★	...	★ (n)	★	★ (o)	...	...	...	★	...	★	...	...
Louisiana	★	...	...	...	...	...	...	...	...	★	★	...	(p)	...
Maine	...	★	★	...	...	★ (q)	...	...	★	★	★	...	★	...
Maryland	...	★	★	...	★	★ (r)	★	★	★	★	...	...	★	...
Massachusetts	...	★	★	★ (s)	...	★ (t)	★	...	★	★	★	★	★	★
Michigan	★	★	★	...	★	★	★	...	★	★	★	★	★	★
Minnesota	★	★	★	...	...	★ (u)	...	★	★	★	★	...	...	...
Mississippi	...	★	...	★ (v)	★	★ (w)	...	...	★	★	★	...	★	...
Missouri	...	★	★	...	...	...	...	...	★	★	★	★	★	...
Montana	...	★	★	...	★	...	★	★	★	...	...	...	...	...
Nebraska	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Nevada	...	★	★	...	★	★	...	...	...	★	★	...	...	...
New Hampshire	...	...	...	...	...	★ (x)	...	...	★	...	...	...	...	...
New Jersey	...	★	...	...	★	★ (y)	★	...	★	★	...	...	★	★
New Mexico	...	★	★	...	...	★ (z)	...	★ (aa)	★	★	...	...	★	...
New York	★	★	★	★	★	...	★	★	★	★	★	★	★	...
North Carolina	★	★	★	★ (bb)	...	★	★	...	★	★	...	...	★	...
North Dakota	...	★	★	...	...	...	...	...	...	★	...	...	★	...
Ohio	★	★	...	...	...	★	...	...	...	★	...	...	...	...
Oklahoma	...	★	...	★ (cc)	★	★	★	...	★	★	★	...	★	...
Oregon	...	★	★	★ (dd)	...	...	...	...	...	...	...	...	...	...
Pennsylvania	★	★	★	...	★	★ (ee)	★	...	★	★	★	...	...	★
Rhode Island	★	...	★	...	★	★	...	★	...	★	★	★	★	...
South Carolina	★	★	...	★ (ff)	...	★ (gg)	★	...	★	★	...	...	★	...
South Dakota	...	★	★	...	...	...	...	...	★	★	★	...	★	...
Tennessee	★	★	★	...	...	★	...	...	...	★	...	...	★	...
Texas	★	...	★	★	...	★ (hh)	★	★	★	★	★	...	★	...
Utah	★	★	★	★ (ii)	★	★ (jj)	...	★	...	★	★	★	★	...
Vermont	...	★	★	...	★	★	★	...	★	★	★	...	...	★

See footnotes at end of table.

STATE GOVERNMENT EMPLOYMENT IN 1990

By Alan V. Stevens

State governments employed nearly 4.5 million workers in their executive, legislative and judicial agencies and institutions (including higher education institutions) as of October 1990. Approximately 1.7 million of these employees, or 26 percent, work on a part-time basis. Since 1980, when the total state government workforce was 3.75 million, the number of state workers has grown by an average annual rate of 1.2 percent.

Salaries and wages paid to all state government employees in October 1990 totaled $9.1 billion, up from $4.3 billion in October 1980, or an average annual increase of 7.8 percent. Average gross pay for full-time state workers was $2,472 for the month of October 1990, reflecting an average annual increase of 6.1 percent since October 1980 when the average was $1,373.

Public Sector Employment Changes, 1980-1990

State governments' proportion of total public sector civilian employment was nearly 25 percent in 1990, up from 23 percent in 1980 and 21 percent in 1970. Federal government civilian employment (3.1 million in October 1990) accounted for slightly less than 17 percent, and local government employment (10.76 million in October 1990) accounted for slightly more than 58 percent of public sector civilian employment.

Sixty percent of state government workers are employed in higher education, hospital and correction activities. While the number of state workers in hospital activities declined by 9,000, or a 1.6 percent decrease from 1980 to 1990, those in correction activities increased by 176,000, or 115 percent, and those in higher education increased by 369,000, or 25 percent.

Elementary and secondary education accounted for slightly more than one-half of all local government workers in 1990, and five other functions accounted for an additional 22 percent: police protection, hospitals, fire protection, streets/highways and public utilities. These activities accounted for nearly identical proportions of local government employment in 1980.

Assessing State Government Employment Levels

A ranking of state governments by population size will generally reflect their relative rankings by labor force size. However, several factors other than population may affect state governments' individual labor force rankings, including: (1) degree of urbanization, (2) population density, (3) diversity in provision of public services between state governments and their local governments, and (4) diversity in the provision of services between the public and private sectors. Table A, which shows the data for the 10 most populous and 10 least populous states, highlights the effects of these factors.

Employee Average Earnings

The range in average gross pay for full-time state workers ran from a low of $1,661 in Mississippi to a high of $3,489 in Alaska for the month of October 1990. Average earnings of state government workers are influenced by several factors: (1) the compensation levels of private sector workers, (2) local cost of living, (3) the occupational mix of the work force, and (4) administrative practices that result in

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Alan V. Stevens is chief of the Employment Branch, Governments Division, Bureau of the Census, U.S. Department of Commerce.

Table A

State Employment in the Ten Most Populous and Ten Least Populous States in 1990

	Full-time equivalent employment		*Full-time equivalent employment per 10,000 population*		
	State	*Local*			
	Amount (1,000)	*Amount (1,000)*	*Total*	*State*	*Local*
Largest States:					
California	325	1,091	476	109	367
New York	285	866	640	158	482
Texas	223	706	547	131	415
Florida	160	497	507	123	384
Pennsylvania	127	361	411	107	304
Illinois	145	416	491	127	364
Ohio	139	385	483	128	355
Michigan	144	316	494	155	340
New Jersey	112	304	538	145	393
North Carolina	107	244	529	161	368
Smallest States:					
Hawaii	49	13	566	445	120
Idaho	19	37	558	186	372
Rhode Island	21	27	470	205	266
Montana	17	35	645	211	434
South Dakota	13	24	540	192	349
Delaware	21	17	564	314	250
North Dakota	15	20	548	234	314
Vermont	13	18	546	233	312
Alaska	22	21	786	401	385
Wyoming	11	24	778	239	539

Source: U.S. Department of Commerce, Bureau of the Census.

Table B

Average Monthly Earnings for Full-Time State Employees by State for October 1990

State	*Average pay*	*State*	*Average pay*
Alabama	$2,196	Montana	2,072
Alaska	3,543	Nebraska	2,075
Arizona	2,334	Nevada	2,502
Arkansas	1,922	New Hampshire	2,352
California	3,209	New Jersey	2,859
Colorado	2,765	New Mexico	2,100
Connecticut	3,018	New York	2,997
Delaware	2,245	North Carolina	2,372
Florida	2,095	North Dakota	2,057
Georgia	2,037	Ohio	2,510
Hawaii	2,317	Oklahoma	1,975
Idaho	2,100	Oregon	2,302
Illinois	2,520	Pennsylvania	2,437
Indiana	2,496	Rhode Island	2,586
Iowa	2,936	South Carolina	1,956
Kansas	2,077	South Dakota	1,979
Kentucky	2,141	Tennessee	2,055
Louisiana	2,047	Texas	2,192
Maine	2,352	Utah	2,000
Maryland	2,609	Vermont	2,302
Massachusetts	2,541	Virginia	2,267
Michigan	2,858	Washington	2,459
Minnesota	2,936	West Virginia	1,919
Mississippi	1,824	Wisconsin	2,503
Missouri	1,965	Wyoming	2,045

Source: U.S. Department of Commerce, Bureau of the Census.

Table C

State Costs for Employee Benefits in Relation to Costs for Salaries and Wages

Benefit	*State government cost as a percent of salaries and wages*
Total	23.68
Social Security	5.36
Retirement	10.71
Health & hospital insurance	6.00
Worker's compensation and disability insurance	.85
Life insurance	.27
Unemployment insurance	.25
Bonuses and cash awards	.13
Uniform & equipment allowances	.04
Other benefits (excluding paid leave)	.07

Source: U.S. Department of Commerce, Bureau of the Census.

higher compensation levels, but lower employment levels. Table B provides October 1990 average earnings of full-time employees for all state governments.

Costs for Employee Benefits

In addition to direct salaries and wages, state governments incur costs for providing employee benefits. A 1987 survey by the U.S. Bureau of the Census shows that the cost to state governments for selected major benefits was equivalent to 23.7 percent of total salaries and wages. Individual benefits, and their costs to state governments as a percent of salaries and wages, are shown in Table C.

Individual state costs for employee benefits ranged from a low of 16 percent to a high of 36 percent of salaries and wages; 13 states were in the 16 to 20 percent range, and three were in the 30 to 36 percent range.

Sources of Additional Data

Data on government employment and pay are contained in the U.S. Bureau of the Census annual report, *Public Employment*, which provides summary federal, state and local government statistics by government function. Detailed state and local government data also are presented on a state-by-state basis. More extensive and detailed data on this subject are contained in the 1987 Census of Governments, Vol. 3, No. 2, *Compendium of Public Employment*.

Statistical information on government costs for employee benefits and on labor-management relations activities in state and local governments are contained in the 1987 Census of Governments, Vol. 3, No. 4, *Government Costs for Employee Benefits*, and Vol. 3, No. 3, *Labor-Management Relations*.

Table 7.18
SUMMARY OF STATE GOVERNMENT EMPLOYMENT: 1952-1990

	Employment (in thousands)											
	Total, full-time and part-time			Full-time equivalent			Monthly payrolls (in millions of dollars)			Average monthly earnings of full-time employees		
Year (October)	All	Education	Other	All	Education	Other	All	Education	Other	All	Education	Other
1952	1,060	293	767	958	213	745	$ 260.3	$ 65.1	$ 195.2	$ 271	$ 298	$ 262
1953	1,082	294	788	966	211	755	278.6	73.5	205.1	289	320	278
1954	1,149	310	839	1,024	222	802	300.7	78.9	221.8	294	325	283
1955	1,199	333	866	1,081	244	837	325.9	88.5	237.4	302	334	290
1956	1,268	353	915	1,136	250	886	366.5	108.8	257.7	321	358	309
1957 (April)	1,300	375	925	1,153	257	896	372.5	106.1	266.4	320	355	309
1958	1,408	406	1,002	1,259	284	975	446.5	123.4	323.1	355	416	333
1959	1,454	443	1,011	1,302	318	984	485.4	136.0	349.4	373	427	352
1960	1,527	474	1,053	1,353	332	1,021	524.1	167.7	356.4	386	439	365
1961	1,625	518	1,107	1,435	367	1,068	586.2	192.4	393.8	409	482	383
1962	1,680	555	1,126	1,478	389	1,088	634.6	201.8	432.8	429	518	397
1963	1,775	602	1,173	1,558	422	1,136	696.4	230.1	466.3	447	545	410
1964	1,873	656	1,217	1,639	460	1,179	761.1	257.5	503.6	464	560	427
1965	2,028	739	1,289	1,751	508	1,243	849.2	290.1	559.1	484	571	450
1966	2,211	866	1,344	1,864	575	1,289	975.2	353.0	622.2	522	614	483
1967	2,335	940	1,395	1,946	620	1,326	1,105.5	406.3	699.3	567	666	526
1968	2,495	1,037	1,458	2,085	694	1,391	1,256.7	477.1	779.6	602	687	544
1969	2,614	1,112	1,501	2,179	746	1,433	1,430.5	554.5	876.1	655	743	597
1970	2,755	1,182	1,573	2,302	803	1,499	1,612.2	630.3	981.9	700	797	605
1971	2,832	1,223	1,609	2,384	841	1,544	1,741.7	681.5	1,060.2	731	826	686
1972	2,957	1,267	1,690	2,487	867	1,619	1,936.6	746.9	1,189.7	778	871	734
1973	3,013	1,280	1,733	2,547	887	1,660	2,158.2	822.2	1,336.0	843	952	805
1974	3,155	1,357	1,798	2,653	929	1,725	2.409.5	932.7	1,476.9	906	1,023	855
1975	3,271	1,400	1,870	2,744	952	1,792	2,652.7	1,021.7	1,631.1	964	1,080	909
1976	3,343	1,434	1,910	2,799	973	1,827	2,893.7	1,111.5	1,782.1	1,031	1,163	975
1977	3,491	1,484	2,007	2,903	1,005	1,898	3,194.6	1,234.4	1,960.1	1,096	1,237	1,031
1978	3,539	1,508	2,032	2,966	1,016	1,950	3,483.0	1,332.9	2,150.2	1,167	1,311	1,102
1979	3,699	1,577	2,122	3,072	1,046	2,026	3,869.3	1,451.4	2,417.9	1,257	1,399	1,193
1980	3,753	1,599	2,154	3,106	1,063	2,044	4,284.7	1,608.0	2,676.6	1,373	1,523	1,305
1981	3,726	1,603	2,123	3,087	1,063	2,024	4,667.5	1,768.0	2,899.5	1,507	1,671	1,432
1982	3,747	1,616	2,131	3,083	1,051	2,032	5,027.7	1,874.0	3,153.7	1,625	1,789	1,551
1983	3,816	1,666	2,150	3,116	1,072	2,044	5,345.5	1,989.0	3,357.0	1,711	1,850	1,640
1984	3,898	1,708	2,190	3,177	1,091	2,086	5,814.9	2,178.0	3,637.0	1,825	1,991	1,740
1985	3,984	1,764	2,220	2,990	945	2,046	6,328.6	2,443.7	3,884.9	1,935	2,155	1,834
1986	4,068	1,800	2,267	3,437	1,256	2,181	6,801.4	2,583.4	4,226.9	2,052	2,263	1,956
1987	4,115	1,804	2,310	3,491	1,264	2,227	7,297.8	2,758.3	4,539.5	2,161	2,396	2,056
1988	4,236	1,854	2,381	3,606	1,309	2,297	7,842.3	2,928.6	4,913.7	2,260	2,490	2,158
1989	4,365	1,925	2,440	3,709	1,360	2,349	8,443.1	3,175.0	5,268.1	2,372	2,62[illegible]	2,259
1990	4,503	1,984	2,519	3,840	1,418	2,432	9,083.0	3,426.0	5,657.0	2,472	2,732	2,359

Source: U.S. Department of Commerce, Bureau of the Census, annual *Public Employment* reports.

Note: Detail may not add to totals due to rounding.

Table 7.19
EMPLOYMENT AND PAYROLLS OF STATE AND LOCAL GOVERNMENTS, BY FUNCTION: OCTOBER 1989

	All employees, full-time and part-time (in thousands)			*October payrolls (in millions of dollars)*			
Functions	*Total*	*State governments*	*Local governments*	*Total*	*State governments*	*Local governments*	*Average October earnings of full-time employees*
All functions	14,765	4,365	10,400	$28,127	$8,443	$19,684	$2,293
Education:							
Higher Education	2,203	1,740	414	3,477	2,895	582	2,667
Instructional personnel only	773	570	203	1,747	1,411	336	3,705
Elementary/Secondary schools	5,376	31	5,345	10,326	60	10,266	2,281
Instructional personnel only	3,565	21	3,544	8,117	47	8,070	2,562
Libraries	126	1	126	150	1	149	1,772
Other education	105	105	0	221	221	0	2,290
Selected Functions:							
Highways	557	259	298	1,116	570	546	2,083
Public welfare	463	205	258	839	414	424	1,929
Hospitals	1,124	562	562	2,110	1,089	1,021	2,009
Health	339	154	185	662	329	332	2,138
Police protection	735	89	645	1,729	244	1,485	2,596
Police officers only	536	59	477	1,433	180	1,252	2,791
Fire protection	317	0	317	693	0	693	2,836
Firefighters only	292	0	292	648	0	648	2,864
Natural resources	195	158	37	368	308	60	2,186
Correction	478	306	172	1,049	666	383	2,243
Social insurance administration	103	103	0	233	233	0	2,317
Financial administration	339	141	198	637	303	334	2,070
Judicial and legal administration	294	108	187	681	306	376	2,480
Other government administration	342	50	292	480	108	373	2,191
Utilities	446	27	418	1,132	86	1,046	2,655

Source: U.S. Department of Commerce, Bureau of the Census, *Public Employment: 1989.*

Note: Statistics for local governments are estimates subject to sampling variation. Detail may not add to totals due to rounding.

Table 7.20
EMPLOYMENT AND PAYROLLS OF STATE AND LOCAL GOVERNMENTS, BY FUNCTION: OCTOBER 1990

	All employees, full-time and part-time (in thousands)			*October payrolls (in millions of dollars)*			
Functions	*Total*	*State governments*	*Local governments*	*Total*	*State governments*	*Local governments*	*Average October earnings of full-time employees*
All functions	15,263	4,503	10,760	$30,229	$9,083	$21,146	$2,395
Education:							
Higher Education	2,278	1,843	435	3,749	3,122	627	2,759
Instructional personnel only	805	591	214	1,888	1,525	364	3,821
Elementary/secondary schools	5,572	33	5,539	11,090	64	11,025	2,380
Instructional personnel only	3,739	23	3,717	8,749	51	8,698	2,667
Libraries	133	1	132	162	1	161	1,879
Other education	108	108	0	240	240	0	2,399
Selected functions:							
Highways	569	261	308	1,184	596	588	2,174
Public welfare	489	217	272	921	455	46	2,011
Hospitals	1,145	569	576	2,268	1,162	1,107	2,132
Health	356	160	196	725	260	365	2,259
Police protection	754	89	664	1,859	257	1,603	2,722
Police officers only	547	47	490	1,534	187	1,347	2,936
Fire protection	327	0	327	739	0	739	2,961
Firefighters only	302	0	302	692	0	692	2,994
Natural resources	202	164	38	400	335	66	2,302
Correction	513	329	183	1,156	739	416	2,303
Social insurance administration	105	105	0	240	240	0	2,377
Financial administration	348	147	202	687	326	362	2,172
Judicial & legal administration	305	110	195	738	325	412	2,601
Other government administration	361	53	308	535	122	413	2,321
Utilities	450	28	422	1,196	88	1,108	2,778

Source: U.S. Department of Commerce, Bureau of the Census, *Public Employment: 1990.*

Note: Statistics for local governments are estimates subject to sampling variation. Detail may not add to totals due to rounding.

Table 7.21
STATE AND LOCAL GOVERNMENT EMPLOYMENT, BY STATE: OCTOBER 1989

State or other jurisdiction	*All employees (full-time and part-time)*		*Full-time equivalent employment*					
			Number			*Number per 10,000 population*		
	State	*Local*	*Total*	*State*	*Local*	*Total*	*State*	*Local*
United States	4,364,638	10,400,320	12,722,746	3,708,606	9,014,140	512	149	362
Alabama	87,931	158,509	217,957	74,199	143,758	539	184	356
Alaska	24,719	24,502	42,858	22,012	20,846	779	400	379
Arizona	56,946	153,745	180,929	48,127	132,802	494	131	362
Arkansas	48,423	88,314	117,538	41,876	75,662	500	178	322
California	375,809	1,264,720	1,375,269	310,169	1,065,100	462	104	358
Colorado	68,375	148,462	177,999	52,237	125,762	540	159	382
Connecticut	66,911	110,161	157,681	60,013	97,668	480	183	297
Delaware	23,488	17,870	35,886	19,650	16,236	539	295	244
Florida	169,586	521,658	629,303	149,896	479,407	486	116	371
Georgia	118,807	286,757	370,343	107,129	263,214	572	165	406
Hawaii	53,839	13,781	58,426	45,475	12,951	527	410	117
Idaho	20,794	44,300	52,584	17,264	35,320	522	171	351
Illinois	163,787	493,355	538,102	133,908	404,194	471	117	354
Indiana	104,612	221,316	273,871	83,168	190,703	494	150	344
Iowa	60,608	133,376	163,319	57,557	105,762	588	207	381
Kansas	57,216	127,617	150,393	48,725	101,668	607	197	410
Kentucky	80,685	120,340	184,039	74,329	109,710	499	202	298
Louisiana	97,319	165,522	234,286	81,946	152,340	555	194	361
Maine	27,122	50,878	64,072	22,670	41,402	522	185	337
Maryland	99,732	177,045	240,644	86,100	154,544	503	180	323
Massachusetts	106,876	224,068	292,488	93,559	198,929	486	156	331
Michigan	163,664	386,511	445,090	133,108	311,982	479	143	336
Minnesota	81,266	202,821	224,431	65,300	159,131	513	149	364
Mississippi	51,894	115,821	148,455	46,093	102,362	577	179	398
Missouri	84,436	196,587	239,853	72,365	167,488	469	141	327
Montana	21,774	41,922	49,271	15,772	33,499	617	197	419
Nebraska	35,253	83,347	96,403	29,141	67,262	611	185	426
Nevada	18,042	41,950	52,966	15,210	37,756	441	127	314
New Hampshire	20,531	39,864	49,332	16,444	32,888	445	148	297
New Jersey	123,758	327,043	406,384	111,586	294,798	526	144	381
New Mexico	50,386	60,152	93,058	38,092	54,966	[illegible]	251	363
New York	302,575	957,060	1,139,694	280,501	859,193	634	156	478
North Carolina	120,350	280,081	341,804	105,012	236,792	516	158	357
North Dakota	20,279	33,654	35,990	15,228	20,762	563	238	325
Ohio	170,008	440,605	516,178	140,378	375,800	476	129	346
Oklahoma	76,003	125,951	174,914	63,788	111,126	556	203	353
Oregon	60,142	121,028	147,639	50,740	96,899	519	179	341
Pennsylvania	145,185	401,773	477,449	123,437	354,012	402	104	298
Rhode Island	24,106	30,510	47,690	19,949	27,741	475	199	277
South Carolina	85,455	125,962	188,875	75,765	113,110	542	217	324
South Dakota	16,524	34,076	36,756	12,619	24,137	526	181	347
Tennessee	87,528	187,938	246,668	75,461	171,207	506	155	351
Texas	248,363	742,655	893,199	212,123	681,076	526	125	401
Utah	40,601	65,046	83,830	34,949	48,881	487	203	284
Vermont	14,679	20,659	29,930	13,158	16,772	532	234	298
Virginia	138,384	237,782	326,995	113,737	213,258	529	184	345
Washington	110,652	175,833	244,848	88,792	156,056	503	182	321
West Virginia	38,292	65,734	92,340	32,663	59,677	515	182	333
Wisconsin	88,230	224,984	242,755	64,974	177,781	496	133	363
Wyoming	12,693	29,702	36,480	12,212	24,268	804	269	535
Dist. of Columbia	0	56,973	55,482	0	55,482	919	0	919

Source: U.S. Department of Commerce, Bureau of the Census, *Public Employment: 1989.*

Note: Statistics for local governments are estimates subject to sampling variation. Detail may not add to totals due to rounding.

Table 7.22
STATE AND LOCAL GOVERNMENT EMPLOYMENT, BY STATE: OCTOBER 1990

State or other jurisdiction	All employees (full-time and part-time)		Full-time equivalent employment					
			Number			Number per 10,000 population		
	State	Local	Total	State	Local	Total	State	Local
United States	4,502,801	10,760,481	13,079,663	3,840,497	9,239,166	526	154	371
Alabama	92,124	161,986	227,411	79,113	148,298	563	196	367
Alaska	25,021	24,832	43,214	22,054	21,160	786	401	385
Arizona	60,674	153,646	185,907	50,284	135,623	507	137	370
Arkansas	49,245	90,881	120,292	42,697	77,595	512	182	330
California	389,805	1,303,097	1,416,032	324,627	1,091,405	476	109	367
Colorado	68,854	154,125	184,623	54,411	130,212	560	165	395
Connecticut	66,939	110,712	156,750	58,435	98,315	477	178	299
Delaware	24,878	18,009	37,568	20,904	16,664	564	314	250
Florida	180,597	554,201	656,338	159,572	496,766	507	123	384
Georgia	123,249	295,672	382,499	112,036	270,463	590	173	418
Hawaii	57,595	14,165	62,661	49,350	13,311	566	445	120
Idaho	22,818	47,035	56,193	18,701	37,492	558	186	372
Illinois	170,438	509,223	561,455	145,065	416,390	491	127	364
Indiana	106,536	229,743	285,439	89,025	196,414	515	161	354
Iowa	62,445	138,072	164,697	57,361	107,336	593	207	387
Kansas	57,824	131,256	153,940	49,584	104,356	621	200	421
Kentucky	84,177	125,195	189,321	75,082	114,239	514	204	310
Louisiana	99,572	169,055	240,042	84,550	155,492	569	200	368
Maine	26,659	54,091	64,349	22,012	42,337	524	179	345
Maryland	101,522	180,820	248,041	88,742	159,299	519	186	333
Massachusetts	107,901	222,208	288,786	93,145	195,641	480	155	325
Michigan	177,721	393,965	459,545	143,611	315,934	494	155	340
Minnesota	84,898	210,432	233,419	69,970	163,449	534	160	374
Mississippi	52,854	119,427	151,841	47,097	104,744	590	183	407
Missouri	86,507	202,979	245,246	74,326	170,920	479	145	334
Montana	22,807	44,207	51,534	16,857	34,677	645	211	434
Nebraska	35,751	84,663	97,248	29,420	67,828	616	186	430
Nevada	21,705	46,621	60,997	19,182	41,815	507	160	348
New Hampshire	21,011	41,827	49,477	16,119	33,358	446	145	301
New Jersey	125,430	340,399	416,221	112,360	303,861	538	145	393
New Mexico	51,535	62,819	97,152	39,731	57,421	641	262	379
New York	305,475	1,007,448	1,151,174	284,678	866,496	640	158	482
North Carolina	122,535	288,828	350,904	106,905	243,999	529	161	368
North Dakota	20,081	33,069	35,035	14,944	20,091	548	234	314
Ohio	171,742	460,457	524,436	139,261	385,175	483	128	355
Oklahoma	78,006	133,552	181,708	65,481	116,227	578	208	369
Oregon	62,221	125,355	152,586	52,180	100,406	537	184	353
Pennsylvania	150,008	414,328	487,966	127,339	360,627	411	107	304
Rhode Island	24,274	29,289	47,187	20,557	26,630	470	205	266
South Carolina	87,724	128,709	195,295	79,108	116,187	560	227	333
South Dakota	17,300	36,897	37,616	13,356	24,260	540	192	349
Tennessee	91,811	190,893	254,003	79,314	174,689	521	163	358
Texas	258,905	770,366	928,575	222,867	705,708	547	131	415
Utah	43,012	66,486	87,864	37,171	50,693	510	216	294
Vermont	14,743	22,047	30,712	13,144	17,568	546	233	312
Virginia	141,309	246,144	337,087	116,529	220,558	545	188	356
Washington	112,110	184,852	254,900	91,198	163,702	524	187	336
West Virginia	39,407	64,869	92,176	33,636	58,540	514	188	326
Wisconsin	90,367	232,411	249,859	66,541	183,318	511	136	375
Wyoming	12,679	30,327	35,330	10,865	24,465	778	239	539
Dist. of Columbia	0	58,791	57,012	0	57,012	939	0	939

Source: U.S. Department of Commerce, Bureau of the Census, *Public Employment: 1990.*

Note: Statistics for local governments are estimates subject to sampling variation. Detail may not add to totals due to rounding.

Table 7.23
STATE AND LOCAL GOVERNMENT PAYROLLS AND AVERAGE EARNINGS OF FULL-TIME EMPLOYEES, BY STATE: OCTOBER 1989

State or other jurisdiction	*Amount of payroll (in thousands of dollars)*			*Percentage of October payroll*		*Average earnings of full-time state and local government employees (dollars)*		
	Total	*State government*	*Local governments*	*State government*	*Local governments*	*All*	*Education employees*	*Other*
United States	$27,972,307	$8,443,056	$19,529,246	30.0	70.0	$2,293	$2,357	$2,236
Alabama	382,826	148,745	234,081	38.9	61.1	1,783	1,824	1,742
Alaska	138,257	70,093	68,164	50.7	49.3	3,336	3,380	3,308
Arizona	408,708	102,888	305,820	25.2	74.8	2,389	2,475	2,310
Arkansas	184,051	73,248	110,803	39.8	60.2	1,607	1,656	1,548
California	3,848,321	923,185	2,925,136	24.0	76.0	2,938	2,956	2,926
Colorado	398,945	132,776	266,168	33.3	66.7	2,321	2,371	2,273
Connecticut	416,855	166,741	250,114	40.0	60.0	2,744	2,815	2,678
Delaware	78,451	41,138	37,313	52.4	47.6	2,258	2,485	2,051
Florida	1,306,805	303,609	1,003,196	23.2	76.8	2,149	2,223	2,093
Georgia	681,805	214,702	467,103	31.5	68.5	1,859	1,883	1,839
Hawaii	129,215	97,682	31,533	75.6	24.4	2,252	2,311	2,209
Idaho	91,390	33,643	57,747	36.8	63.2	1,814	1,795	1,836
Illinois	1,242,874	316,242	926,633	25.4	74.6	2,408	2,483	2,340
Indiana	534,590	182,749	351,841	34.2	65.8	2,032	2,304	1,711
Iowa	316,405	123,776	192,630	39.1	60.9	2,127	2,193	2,050
Kansas	285,763	97,347	188,416	34.1	65.9	1,945	1,972	1,915
Kentucky	314,600	135,953	178,647	43.2	56.8	1,794	1,879	1,688
Louisiana	396,874	149,656	247,218	37.7	62.3	1,723	1,792	1,653
Maine	119,824	46,423	73,401	38.7	61.3	1,938	1,942	1,933
Maryland	607,310	212,235	395,075	34.9	65.1	2,592	2,899	2,343
Massachusetts	695,319	233,017	462,303	33.5	66.5	2,452	2,435	2,466
Michigan	1,085,211	340,398	744,813	31.4	68.6	2,593	2,713	2,453
Minnesota	534,609	164,983	369,625	30.9	69.1	2,525	2,635	2,412
Mississippi	235,378	81,512	153,865	34.6	65.4	1,610	1,672	1,543
Missouri	454,630	133,701	320,929	29.4	70.6	1,950	2,066	1,838
Montana	90,137	30,868	59,268	34.2	65.8	1,927	2,054	1,766
Nebraska	183,350	56,658	126,692	30.9	69.1	1,995	2,015	1,976
Nevada	122,570	33,868	88,702	27.6	72.4	2,384	2,223	2,489
New Hampshire	99,314	33,883	65,430	34.1	65.9	2,112	2,177	2,046
New Jersey	1,024,181	292,942	731,239	28.6	71.4	2,595	2,849	2,366
New Mexico	165,810	71,952	93,858	43.4	56.6	1,830	1,856	1,801
New York	3,036,286	783,972	2,252,314	25.8	74.2	2,758	2,988	2,634
North Carolina	670,262	225,896	444,365	33.7	66.3	2,030	2,194	1,856
North Dakota	69,769	28,763	41,005	41.2	58.8	2,067	2,333	1,755
Ohio	1,077,917	303,258	774,659	28.1	71.9	2,199	2,370	2,045
Oklahoma	300,486	118,204	182,282	39.3	60.7	1,770	1,769	1,771
Oregon	311,783	104,278	207,505	33.4	66.6	2,235	2,292	2,181
Pennsylvania	1,047,318	274,217	773,102	26.2	73.8	2,275	2,469	2,096
Rhode Island	116,334	49,937	66,397	42.9	57.1	2,500	2,760	2,274
South Carolina	336,747	139,475	197,272	41.4	58.6	1,827	1,967	1,692
South Dakota	59,319	22,939	36,380	38.7	61.3	1,725	1,794	1,645
Tennessee	454,672	145,104	309,568	31.9	68.1	1,890	1,952	1,838
Texas	1,710,184	443,256	1,266,927	25.9	74.1	1,955	1,989	1,914
Utah	157,416	64,573	92,843	41.0	59.0	1,945	1,877	2,041
Vermont	63,928	32,344	31,583	50.6	49.4	2,286	2,168	2,437
Virginia	683,428	245,677	437,751	35.9	64.1	2,164	2,242	2,083
Washington	553,189	195,981	357,208	35.4	64.6	2,378	2,290	2,453
West Virginia	153,059	54,165	98,894	35.4	64.6	1,693	1,859	1,465
Wisconsin	528,239	143,330	384,909	27.1	72.9	2,322	2,509	2,116
Wyoming	67,593	21,074	46,519	31.2	68.8	2,019	2,190	1,853
Dist. of Columbia	154,859	0	154,859	0.0	100.0	2,832	3,006	2,784

Source: U.S. Department of Commerce, Bureau of the Census, *Public Employment: 1989.*

Note: Statistics for local governments are estimates subject to sampling variation. Detail may not add to totals due to rounding.

Table 7.24
STATE AND LOCAL GOVERNMENT PAYROLLS AND AVERAGE EARNINGS OF FULL-TIME EMPLOYEES, BY STATE: OCTOBER 1990

State or other jurisdiction	*Amount of payroll (in thousands of dollars)*			*Percentage of October payroll*		*Average earnings of full-time state and local government employees (dollars)*		
	Total	*State government*	*Local governments*	*State government*	*Local governments*	*All*	*Education employees*	*Other*
United States	$30,229,222	$9,083,011	$21,146,212	30.0	70.0	$2,395	$2,455	$2,340
Alabama	422,555	166,736	255,819	39.5	60.5	1,897	1,944	1,851
Alaska	146,468	75,376	71,092	51.5	48.5	3,518	3,489	3,536
Arizona	433,543	109,544	323,999	25.3	74.7	2,486	2,552	2,424
Arkansas	197,104	79,039	118,065	40.1	59.9	1,676	1,710	1,636
California	4,192,936	997,535	3,195,402	23.8	76.2	3,104	3,131	3,085
Colorado	429,949	142,846	287,103	33.2	66.8	2,413	2,446	2,380
Connecticut	443,005	172,413	270,592	38.9	61.1	2,915	3,012	2,821
Delaware	85,187	45,644	39,543	53.6	46.4	2,342	2,553	2,159
Florida	1,408,223	325,077	1,083,146	23.1	76.9	2,211	2,265	2,168
Georgia	724,483	224,673	499,810	31.0	69.0	1,919	1,970	1,875
Hawaii	142,765	109,455	33,310	76.7	23.3	2,368	2,445	2,310
Idaho	100,544	36,114	64,430	35.9	64.1	1,876	1,845	1,913
Illinois	1,336,552	347,541	989,011	26.0	74.0	2,477	2,521	2,438
Indiana	593,062	208,920	384,142	35.2	64.8	2,170	2,443	1,855
Iowa	346,904	141,363	205,541	40.7	59.3	2,305	2,287	2,325
Kansas	298,523	98,649	199,875	33.0	67.0	2,011	2,055	1,958
Kentucky	350,508	146,011	204,497	41.7	58.3	1,938	2,047	1,804
Louisiana	431,237	168,018	263,218	39.0	61.0	1,827	1,880	1,774
Maine	131,414	49,912	81,502	38.0	62.0	2,106	2,095	2,120
Maryland	647,513	224,930	422,583	34.7	65.3	2,717	3,020	2,473
Massachusetts	715,195	229,608	485,587	32.1	67.9	2,550	2,570	2,535
Michigan	1,163,413	377,089	786,324	32.4	67.6	2,708	2,859	2,533
Minnesota	575,040	179,629	395,411	31.2	68.8	2,654	2,783	2,522
Mississippi	243,260	84,517	158,744	34.7	65.3	1,629	1,661	1,594
Missouri	481,011	140,410	340,601	29.2	70.8	2,026	2,138	1,917
Montana	97,217	32,692	64,525	33.6	66.4	1,995	2,137	1,812
Nebraska	193,558	58,605	134,952	30.3	69.7	2,084	2,090	2,079
Nevada	148,414	45,157	103,257	30.4	69.6	2,552	2,559	2,548
New Hampshire	107,645	36,988	70,657	34.4	65.6	2,259	2,299	2,217
New Jersey	1,118,097	318,712	799,385	28.5	71.5	2,742	2,974	2,531
New Mexico	180,171	79,130	101,041	43.9	56.1	1,905	1,906	1,904
New York	3,188,318	838,877	2,349,440	26.3	73.7	2,846	3,004	2,757
North Carolina	735,105	244,162	490,943	33.2	66.8	2,155	2,345	1,959
North Dakota	69,040	28,506	40,535	41.3	58.7	2,104	2,363	1,797
Ohio	1,151,413	320,513	830,900	27.8	72.2	2,303	2,458	2,159
Oklahoma	324,389	123,923	200,466	38.2	61.8	1,835	1,838	1,832
Oregon	336,004	112,182	223,822	33.4	66.6	2,316	2,368	2,268
Pennsylvania	1,142,807	307,122	835,685	26.9	73.1	2,412	2,616	2,222
Rhode Island	119,202	51,040	68,162	42.8	57.2	2,627	2,826	2,452
South Carolina	359,940	150,167	209,772	41.7	58.3	1,891	2,037	1,748
South Dakota	65,044	24,924	40,119	38.3	61.7	1,820	1,908	1,716
Tennessee	480,065	157,107	322,958	32.7	67.3	1,935	2,037	1,850
Texas	1,827,378	474,010	1,353,368	25.9	74.1	2,008	2,053	1,953
Utah	171,484	72,151	99,333	42.1	57.9	2,052	2,002	2,120
Vermont	64,291	29,115	35,176	45.3	54.7	2,182	2,202	2,155
Virginia	731,784	253,787	477,997	34.7	65.3	2,254	2,326	2,181
Washington	604,466	207,429	397,037	34.3	65.7	2,496	2,425	2,557
West Virginia	169,270	61,650	107,620	36.4	63.6	1,882	2,065	1,626
Wisconsin	562,567	152,660	409,907	27.1	72.9	2,404	2,569	2,218
Wyoming	70,729	21,355	49,374	30.2	69.8	2,090	2,255	1,931
Dist. of Columbia	170,431	0	170,431	0.0	100.0	3,024	3,021	3,025

Source: U.S. Department of Commerce, Bureau of the Census, *Public Employment: 1990.*

Note: Statistics for local governments are estimates subject to sampling variation. Detail may not add to totals due to rounding.

Table 7.25
STATE GOVERNMENT EMPLOYMENT (FULL-TIME EQUIVALENT), FOR SELECTED FUNCTIONS, BY STATE: OCTOBER 1989

		Selected functions										
		Education										
State	All functions	Higher education (a)	Other education (b)	Highways	Public welfare	Hospitals	Correction	Police protection	Natural resources	Financial and other governmental administration	Judicial and legal administration
United States	3,708,606	1,235,127	124,632	255,228	200,874	534,544	303,020	88,700	142,825	181,877	105,415
Alabama	74,199	27,818	3,953	4,048	4,114	11,949	3,830	1,186	3,117	2,923	2,502
Alaska	22,012	3,599	3,559	3,034	1,594	432	1,271	408	2,302	1,399	1,094
Arizona	48,127	18,513	2,434	3,190	2,581	904	5,810	1,679	2,037	3,089	881
Arkansas	41,876	12,929	2,540	3,974	3,130	4,194	2,109	808	2,541	2,029	306
California	310,169	109,978	4,317	16,781	2,939	34,311	29,820	10,974	14,755	15,256	2,545
Colorado	52,237	27,054	1,078	2,874	1,419	5,760	2,701	930	1,773	2,415	2,516
Connecticut	60,013	13,390	3,475	4,336	4,088	12,961	5,069	1,693	912	4,200	2,647
Delaware	19,650	6,544	264	1,402	992	2,244	1,596	730	435	912	1,095
Florida	149,896	34,858	1,583	9,599	7,830	17,281	24,970	3,389	6,749	7,899	8,333
Georgia	107,129	30,297	5,057	6,459	6,745	14,703	11,306	2,135	4,889	2,892	1,068
Hawaii	45,475	6,894	19,549	784	972	2,713	1,489	0	1,367	1,250	1,986
Idaho	17,264	6,895	553	1,690	665	929	844	408	1,140	1,365	302
Illinois	133,908	48,016	2,869	8,682	12,667	15,531	11,175	4,002	3,612	9,699	2,878
Indiana	83,168	38,475	4,799	5,394	4,961	10,484	4,908	1,838	2,419	3,143	923
Iowa	57,557	26,832	1,132	2,972	3,620	9,793	2,109	831	2,986	1,862	2,342
Kansas	48,725	17,157	1,085	3,535	3,645	9,309	2,946	954	1,984	2,065	1,895
Kentucky	74,329	28,493	4,251	5,949	5,651	5,725	3,478	1,707	3,932	3,612	3,382
Louisiana	81,946	25,261	3,470	5,327	5,008	18,615	5,541	935	4,746	3,014	1,341
Maine	22,670	5,987	1,451	2,817	1,994	2,193	1,020	583	1,562	1,502	414
Maryland	86,100	23,152	2,193	5,282	6,919	8,719	8,083	2,352	2,330	5,512	3,624
Massachusetts	93,559	22,128	1,321	4,875	8,433	20,622	4,794	2,075	2,651	7,279	5,871
Michigan	133,108	56,539	1,984	4,126	13,260	16,754	14,092	3,165	3,864	3,914	2,611
Minnesota	65,300	31,989	1,691	5,097	1,775	7,960	2,066	905	3,328	3,124	863
Mississippi	46,093	14,087	1,616	3,290	2,789	7,493	2,938	979	4,055	1,621	344
Missouri	72,365	20,759	2,120	6,229	5,993	13,275	6,261	1,858	2,249	3,047	3,017
Montana	15,772	5,004	680	1,792	1,153	1,319	796	350	1,373	1,314	142
Nebraska	29,141	10,689	634	2,424	2,722	4,131	1,650	656	1,752	1,038	543
Nevada	15,210	4,102	263	1,374	836	856	1,785	352	866	1,125	278
New Hampshire	16,444	5,282	331	2,068	1,144	1,345	770	363	464	693	712
New Jersey	111,586	25,264	7,490	9,068	5,744	17,781	8,998	4,271	1,555	5,681	4,001
New Mexico	38,092	15,664	825	2,532	1,782	4,819	2,461	519	1,606	2,319	1,489
New York	280,501	45,100	5,573	14,610	7,569	71,586	32,731	5,734	3,481	17,468	16,621
North Carolina	105,012	38,186	3,046	11,383	991	15,014	10,686	2,886	4,406	3,213	4,950
North Dakota	15,228	6,714	413	1,107	366	1,841	339	222	1,250	405	302
Ohio	140,378	64,320	2,468	8,768	2,017	19,932	9,628	5,274	4,097	5,655	1,835
Oklahoma	63,788	22,240	1,889	3,728	7,236	8,142	4,468	1,659	2,757	2,725	1,529
Oregon	50,740	17,813	977	3,330	3,437	5,927	2,398	1,163	3,040	2,904	2,196
Pennsylvania	123,437	28,397	2,219	14,282	10,057	22,512	6,775	5,313	5,754	9,397	2,196
Rhode Island	19,949	5,333	1,056	1,028	1,631	1,729	1,417	241	686	1,328	826
South Carolina	75,765	25,261	3,041	5,100	4,910	10,880	7,116	1,646	2,386	3,238	537
South Dakota	12,619	3,824	458	1,231	1,043	1,416	500	320	891	680	483
Tennessee	75,461	28,222	2,052	5,034	5,404	10,091	6,490	1,237	2,559	3,404	1,368
Texas	212,123	76,458	4,275	15,285	15,354	37,398	21,016	3,003	7,381	8,180	3,161
Utah	34,949	17,484	799	1,773	1,937	4,221	1,402	666	1,186	1,559	822
Vermont	13,158	4,335	359	1,195	1,172	709	628	484	666	863	486
Virginia	113,737	41,081	2,615	11,983	2,099	19,323	10,120	2,366	3,807	4,703	2,425
Washington	88,792	37,849	1,805	5,518	4,310	7,537	5,400	1,615	4,300	3,019	1,165
West Virginia	32,663	10,755	1,464	5,329	2,458	2,840	728	808	1,519	1,409	914
Wisconsin	64,974	33,593	1,370	1,887	1,095	7,389	3,939	786	2,584	3,747	1,293
Wyoming	12,212	4,513	186	1,653	623	952	553	242	724	787	361

Source: U.S. Department of Commerce, Bureau of the Census, *Public Employment: 1989.*

(a) Includes instructional and other personnel.

(b) Includes instructional and other personnel in elementary and secondary schools.

Table 7.26
STATE GOVERNMENT EMPLOYMENT (FULL-TIME EQUIVALENT), FOR SELECTED FUNCTIONS, BY STATE: OCTOBER 1990

		Selected functions										
		Education										
State	*All functions*	*Higher education* (a)	*Other education* (b)	*Highways*	*Public welfare*	*Hospitals*	*Correction*	*Police protection*	*Natural resources*	*Financial and other governmental administration*	*Judicial and legal administration*
United States	3,840,497	1,289,258	129,232	256,751	212,865	541,729	325,764	88,090	147,831	191,197	107,317
Alabama	79,113	29,923	4,209	4,085	4,373	12,775	4,270	1,023	3,222	3,109	2,587
Alaska	22,054	4,155	3,385	2,898	1,634	426	1,260	408	2,226	1,349	1,081
Arizona	50,284	19,154	2,451	3,190	2,596	909	5,489	1,706	2,009	3,278	990
Arkansas	42,697	12,980	2,598	3,914	3,271	4,494	2,290	836	2,517	2,244	307
California	324,627	113,547	4,769	17,675	3,427	35,243	31,276	11,219	15,553	17,904	2,792
Colorado	54,411	29,127	1,188	2,915	1,471	5,085	2,938	935	1,798	2,490	2,716
Connecticut	58,435	12,821	3,680	4,482	4,142	12,158	5,364	1,651	884	3,915	2,696
Delaware	20,904	6,671	274	1,421	1,706	2,201	1,687	738	482	1,010	1,179
Florida	159,572	36,137	2,710	10,226	7,887	17,944	27,430	3,797	6,647	8,676	8,703
Georgia	112,036	31,881	5,185	6,450	7,293	15,013	12,819	2,103	4,785	2,956	1,102
Hawaii	49,350	8,405	21,074	798	1,093	2,695	1,501	0	1,532	1,469	1,985
Idaho	18,701	7,686	611	1,629	665	929	962	424	1,677	1,419	317
Illinois	145,065	50,707	2,957	9,086	13,243	21,549	11,633	4,169	3,586	9,983	2,918
Indiana	89,025	43,559	4,669	4,908	5,260	10,835	5,741	1,846	2,868	3,314	943
Iowa	57,361	26,568	1,140	2,799	3,734	9,177	2,183	866	3,021	1,914	2,159
Kansas	49,584	19,662	1,061	3,530	3,638	7,643	3,074	961	1,995	2,049	1,861
Kentucky	75,082	27,657	4,257	6,089	4,591	5,733	5,068	1,710	4,036	3,985	3,511
Louisiana	84,550	26,151	3,465	5,382	5,506	17,950	6,049	1,046	4,788	3,634	1,254
Maine	22,012	5,822	1,406	2,810	2,024	2,025	1,101	614	1,558	1,304	471
Maryland	88,742	24,860	2,182	5,308	6,849	8,081	8,478	2,414	2,437	6,221	3,947
Massachusetts	93,145	22,083	908	4,958	8,725	20,505	5,741	1,945	2,059	6,550	5,586
Michigan	143,611	64,338	1,975	4,159	13,776	17,791	14,749	3,211	4,053	4,002	2,653
Minnesota	69,970	35,777	1,691	5,130	1,775	7,801	2,202	915	3,615	3,171	1,041
Mississippi	47,097	13,906	1,633	3,324	3,417	7,877	3,151	978	4,130	1,706	350
Missouri	74,326	21,336	2,187	6,178	6,432	13,651	6,279	1,929	2,282	3,128	3,079
Montana	16,857	5,883	702	1,810	1,212	1,276	771	353	1,409	1,274	145
Nebraska	29,420	10,678	650	2,215	2,810	4,184	1,740	675	1,907	928	630
Nevada	19,182	6,759	291	1,413	1,002	999	1,981	359	1,067	1,225	329
New Hampshire	16,119	5,163	312	1,949	1,078	1,084	923	417	453	699	732
New Jersey	112,360	24,231	7,490	8,874	7,168	18,019	9,909	4,654	1,619	4,710	3,912
New Mexico	39,731	15,900	871	2,604	2,032	4,962	2,476	515	1,612	2,710	1,534
New York	284,678	47,162	5,647	14,788	7,756	71,557	34,111	5,760	3,569	17,898	16,604
North Carolina	106,905	38,094	3,027	11,468	1,060	15,078	11,657	3,065	5,028	3,599	4,407
North Dakota	14,944	6,747	391	1,058	358	1,758	324	212	1,263	432	293
Ohio	139,261	64,780	2,467	8,725	2,117	19,806	10,284	2,228	4,225	5,724	1,889
Oklahoma	65,481	22,718	1,942	3,740	7,667	8,149	4,469	1,709	2,736	2,809	1,566
Oregon	52,180	18,139	994	3,317	4,053	5,961	2,688	1,148	3,282	3,849	2,118
Pennsylvania	127,339	30,195	2,404	13,440	10,338	22,725	7,971	5,353	5,940	9,858	2,263
Rhode Island	20,557	5,980	1,059	1,033	1,883	1,456	1,742	263	701	1,482	906
South Carolina	79,108	27,378	3,063	5,102	5,051	11,012	7,257	1,737	2,539	3,349	548
South Dakota	13,356	4,105	422	1,238	1,062	1,504	546	270	1,224	696	511
Tennessee	79,314	29,461	2,071	4,736	5,698	10,754	6,970	1,760	2,705	3,739	1,491
Texas	222,867	80,655	4,647	15,203	16,375	38,577	23,032	3,003	7,638	8,342	3,328
Utah	37,171	18,125	839	1,794	2,091	4,216	2,045	642	1,292	1,571	889
Vermont	13,144	4,369	341	1,155	1,194	744	678	482	662	832	491
Virginia	116,529	40,879	3,070	12,836	2,183	19,379	10,126	2,378	3,553	4,780	2,494
Washington	91,198	38,339	1,741	5,766	6,345	7,096	5,486	1,788	4,821	3,094	1,300
West Virginia	33,636	11,838	1,551	5,470	2,135	2,481	762	786	1,658	1,719	927
Wisconsin	66,541	33,593	1,400	1,992	1,132	7,448	4,528	836	2,449	4,293	1,416
Wyoming	10,865	3,174	175	1,681	537	1,014	553	253	719	805	366

Source: U.S. Department of Commerce, Bureau of the Census, *Public Employment: 1990.*

(a) Includes instructional and other personnel.

(b) Includes instructional and other personnel in elementary and secondary schools.

POLICIES DURING DOWNSIZING—Continued

State or other jurisdiction	Early retirement incentives	Reduction in force policy	Job sharing	Productivity reward system	Mandatory unpaid leave policy	Contract out any functions/ services	Out-placement	Employ telecommuters	Offer retraining/ counseling services	Mandate hiring freeze	Initiate voluntary hours reduction	Deferred payment for time worked	Mandate pay increase freeze	Promote concession bargaining
Virginia	(kk)	. . .	. . .	. . .	★	. . .	★	. . .	★	★	. . .	. . .	★	. . .
Washington	. . .	★	★	★ (ll)	. . .	. . .	. . .	★	. . .	★	★	. . .	. . .	. . .
West Virginia	★	★	. . .	★ (mm)	★	. . .	★	. . .	★	★	. . .	★	★	. . .
Wisconsin	. . .	. . .	. . .	. . .	★	★	. . .	★	. . .	★	. . .	★	. . .	. . .
Wyoming	★	★	★	. . .	. . .	. . .	. . .	. . .	. . .	★	. . .	. . .	★	. . .
Puerto Rico	. . .	★	. . .	. . .	★	. . .	★	. . .	★	★	. . .	. . .	★	. . .

Source: National Association of State Personnel Executives, *State Personnel Office: Roles and Functions, Second Edition*, 1992.

Note: This table provides information on downsizing policies implemented due to recent budget shortfalls and the continued pressure on state personnel departments to cut resources. See above referenced source for more detailed information.

Key:

★ — Policy

. . . — Not applicable

(a) Health insurance administrative services, food services, legal services, computer programming services.

(b) Varies by agency; examples include temporary manpower services, food services, computer programming, etc.

(c) For managers—a management by objective program with differential payout.

(d) Cash award of $2,000 to three recipients of Delaware Award for Excellence and Commitment in State Service.

(e) Medical services.

(f) Developmental stages.

(g) When service can be provided in a more efficient or cost-effective manner.

(h) Pilot project.

(i) Custodial services.

(j) Merit compensation pay plan provides for one annual increase per year based upon performance. Up to two additional intermittent merit increases of up to five percent may additionally be granted.

(k) Insurance claims processing.

(l) Employee suggestion program.

(m) Drug screening, testing, classification studies, employee assistance program.

(n) Employee suggestion system program: employee receives 10 percent of cabinet/agency savings based on his/her suggestion (amount not to exceed $2,500).

(o) Auditing, highway repairs, some professional services.

(p) Occasionally state mandates pay increase freezes.

(q) Individual departments may contract for any services provided the agreement for these services does not result in an employee/employer relationship.

(r) Medical monitoring for asbestos, employee assistance program, drug testing, health insurance, instructors for employee training.

(s) A performance recognition program to highlight accomplishments, innovations, high productivity and dedication; an annual awards dinner is held.

(t) Administration of some local human services facilities; deferred compensation program; portion of training and development programs; portion of state lottery administration, etc.

(u) Programming, systems analysis, etc.

(v) A pay increase based on a percentage of the employee's base salary when appropriated by the legislature.

(w) Temporary replacements.

(x) Certain management contracts.

(y) Examples include data processing systems development and outplacement counseling. Activities are contracted as needed.

(z) Minimum security prison, as an example.

(aa) Isolated cases.

(bb) Employee suggestions may receive awards.

(cc) Either unit or individual awards for increase in productivity.

(dd) Employee suggestion awards and productivity fund from which agencies can borrow or receive grants to improve productivity.

(ee) State Employee Assistance Program; AIDS Training.

(ff) Suggestions Award Program.

(gg) Deferred compensation, UC Program, dental and health insurance administration.

(hh) Certain prisons have been contracted out.

(ii) Incentive awards for employees performing above and beyond the call of duty.

(jj) Printing and auditing.

(kk) Retirement incentives have been offered in the past.

(ll) Called "Brainstorm"—awards up to 10 percent of savings to a maximum of $10,000.

(mm) Suggestions program with awards up to $10,000.

Table 7.27
STATE GOVERNMENT PAYROLLS FOR SELECTED FUNCTIONS, BY STATE: OCTOBER 1989
(In thousands of dollars)

				Selected functions								
		Education										
State	All functions	Higher education (a)	Other education (b)	Highways	Public welfare	Hospitals	Correction	Police protection	Natural resources	Financial and other governmental administration	Judicial and legal administration
United States	$8,443,056	$2,894,606	$280,438	$569,947	$414,395	$1,088,720	$665,953	$244,437	$308,079	$410,555	$305,620
Alabama	148,745	61,132	8,673	7,367	7,674	19,899	7,584	2,545	6,250	5,763	5,762
Alaska	70,093	12,301	9,458	11,089	4,062	1,166	4,063	1,668	7,370	4,401	3,627
Arizona	102,888	41,876	4,476	7,220	4,394	1,589	12,218	4,718	4,177	5,715	2,792
Arkansas	73,248	24,999	4,388	7,150	4,977	6,003	3,184	1,578	4,326	3,504	1,015
California	923,185	330,025	13,579	53,009	8,789	98,322	89,742	36,420	38,278	38,504	10,210
Colorado	132,776	70,396	2,533	7,328	3,436	12,933	6,748	2,447	4,633	5,942	6,610
Connecticut	166,741	35,644	9,145	11,527	11,406	35,665	14,710	5,247	2,585	11,732	8,984
Delaware	41,138	14,821	746	2,489	1,839	3,743	3,371	2,029	820	1,839	2,533
Florida	303,609	78,578	3,177	22,720	11,323	29,840	43,994	9,696	11,656	16,402	22,016
Georgia	214,702	69,864	10,643	12,411	13,179	25,149	20,439	4,774	9,417	5,947	3,114
Hawaii	97,682	18,715	40,338	1,714	1,867	5,419	2,794	0	3,181	2,795	4,779
Idaho	33,643	12,294	1,038	3,381	1,265	1,700	1,579	880	2,902	2,486	1,126
Illinois	316,242	112,918	6,839	23,717	27,386	33,037	25,488	10,858	8,858	20,478	11,390
Indiana	182,749	98,610	7,495	9,308	7,823	20,662	9,159	4,924	5,129	6,107	3,023
Iowa	123,776	54,669	2,879	5,842	8,622	19,908	5,201	2,626	5,987	4,326	6,129
Kansas	97,347	30,576	2,336	7,285	7,023	21,358	5,846	2,206	4,013	3,988	4,121
Kentucky	135,953	57,126	8,650	9,815	9,341	9,374	5,487	3,521	6,228	6,209	6,161
Louisiana	149,656	49,329	6,784	10,558	9,554	29,112	8,761	1,833	8,780	5,848	3,406
Maine	46,423	12,635	3,066	6,057	3,765	3,981	2,167	1,501	3,284	2,858	768
Maryland	212,235	67,046	5,489	12,490	14,308	18,279	19,048	6,486	5,544	12,525	8,785
Massachusetts	233,017	53,650	3,585	12,871	24,718	44,874	11,787	7,065	6,280	18,433	15,589
Michigan	340,398	133,012	5,858	11,836	34,404	44,891	37,476	9,744	9,765	11,060	8,596
Minnesota	164,983	80,025	4,628	13,689	4,346	18,201	5,315	2,564	8,260	7,748	3,482
Mississippi	81,512	29,900	2,885	4,808	4,227	11,368	4,019	1,700	7,055	2,982	1,242
Missouri	133,701	42,862	3,294	12,797	9,205	21,112	9,878	4,411	4,223	5,040	6,484
Montana	30,868	10,441	1,356	3,741	1,973	2,052	1,594	731	2,698	2,393	441
Nebraska	56,658	22,035	1,324	4,538	4,462	7,476	3,055	1,398	2,940	1,912	2,046
Nevada	33,868	7,612	687	3,330	1,830	1,996	4,129	840	1,921	2,613	928
New Hampshire	33,883	11,953	700	3,793	2,246	2,562	1,654	965	938	1,422	1,368
New Jersey	292,942	72,130	21,807	25,700	13,411	35,005	23,131	13,370	4,116	14,290	13,837
New Mexico	71,952	29,929	1,630	4,544	3,201	8,224	4,524	1,000	3,478	4,379	3,122
New York	783,972	134,988	15,324	35,949	21,356	179,719	88,611	18,080	9,984	44,797	59,656
North Carolina	225,896	89,953	6,941	21,069	2,522	28,146	19,192	7,080	9,360	7,967	10,492
North Dakota	28,763	13,429	887	1,936	749	2,734	588	454	2,038	852	774
Ohio	303,258	136,340	6,124	20,127	4,489	38,089	20,745	14,387	8,622	12,786	5,064
Oklahoma	118,204	40,962	4,011	6,773	12,835	13,109	7,887	3,199	3,946	5,787	4,160
Oregon	104,278	35,309	2,045	6,833	6,589	11,428	5,201	4,622	5,599	6,051	5,008
Pennsylvania	274,217	68,860	4,969	28,953	21,869	44,007	14,511	13,467	13,045	20,471	7,952
Rhode Island	49,937	14,145	2,215	2,402	3,729	4,162	3,895	967	1,596	3,105	2,109
South Carolina	139,475	50,378	6,238	6,625	8,349	15,787	11,494	3,406	4,523	6,148	1,574
South Dakota	22,939	8,178	756	2,342	1,550	1,906	806	585	1,434	1,271	984
Tennessee	145,104	56,428	4,165	9,511	9,809	17,924	11,170	3,005	4,531	6,482	3,927
Texas	443,256	179,604	8,687	31,027	27,762	61,035	38,570	7,636	15,906	19,551	9,531
Utah	64,573	29,518	1,642	3,935	3,821	6,672	2,735	1,520	2,603	3,352	2,006
Vermont	32,344	9,653	921	3,288	2,718	1,654	1,700	1,268	1,831	1,985	1,575
Virginia	245,677	98,330	5,828	23,718	4,208	33,350	18,706	6,911	8,523	10,223	6,742
Washington	195,981	79,844	4,053	14,641	9,333	15,059	11,752	4,396	10,163	7,963	3,908
West Virginia	54,165	21,418	2,477	8,174	3,330	3,373	974	1,453	2,725	2,201	1,616
Wisconsin	143,330	73,885	3,274	4,968	2,282	14,276	8,363	1,861	5,017	8,424	4,213
Wyoming	21,074	6,281	395	3,552	1,039	1,390	908	495	1,541	1,498	843

Source: U.S. Department of Commerce, Bureau of the Census, *Public Employment: 1989.*

(a) Includes instructional and other personnel.

(b) Includes instructional and other personnel in elementary and secondary schools.

Table 7.28
STATE GOVERNMENT PAYROLLS FOR SELECTED FUNCTIONS, BY STATE: OCTOBER 1990
(In thousands of dollars)

				Selected functions							
		Education									
State	*All functions*	*Higher education* (a)	*Other education* (b)	*Highways*	*Public welfare*	*Hospitals*	*Correction*	*Police protection*	*Natural resources*	*Financial and other governmental administration*	*Judicial and legal administration*
United States	$9,083,013	$3,121,568	$304,508	$595,962	$454,563	$1,161,781	$739,534	$256,876	$334,635	$447,723	$324,225
Alabama	166,736	67,760	9,596	8,327	8,827	22,090	8,999	2,509	6,367	6,616	6,467
Alaska	75,376	13,245	10,356	11,910	4,616	1,360	4,593	1,668	7,739	4,652	3,891
Arizona	109,544	46,191	4,556	7,220	4,397	1,749	11,034	4,951	4,466	6,276	2,938
Arkansas	79,039	26,396	4,817	7,690	5,552	6,582	3,754	1,743	4,498	3,870	1,076
California	997,535	356,621	15,414	58,265	10,064	104,269	96,022	38,071	44,501	49,167	10,633
Colorado	142,846	77,591	2,904	7,897	3,862	11,740	8,018	2,626	4,619	6,298	7,197
Connecticut	172,413	39,891	10,261	12,177	11,608	35,576	15,718	5,085	2,591	11,081	8,811
Delaware	45,644	15,498	782	2,963	3,136	3,933	3,645	2,230	969	2,022	2,698
Florida	325,077	83,779	5,269	19,895	11,935	32,797	48,736	10,381	14,343	18,025	23,656
Georgia	224,673	73,338	12,000	12,991	14,775	26,637	17,153	5,602	9,608	6,665	3,346
Hawaii	109,455	21,069	45,552	1,827	2,211	5,740	2,853	0	3,628	3,423	5,015
Idaho	36,114	13,580	1,195	3,484	1,265	1,700	1,852	1,002	3,292	2,735	1,149
Illinois	347,541	116,354	7,494	25,160	30,456	45,991	28,227	13,256	9,043	21,265	11,451
Indiana	208,920	115,655	7,073	9,017	8,207	22,199	11,502	9,488	5,744	6,702	3,293
Iowa	141,363	58,583	3,382	6,374	10,779	23,092	6,690	3,199	6,674	5,265	6,676
Kansas	98,649	37,282	2,319	7,475	7,030	14,547	6,035	2,262	4,412	4,232	4,228
Kentucky	146,011	58,741	9,390	11,236	8,043	10,217	8,762	3,544	6,709	7,159	6,854
Louisiana	168,018	54,301	7,046	10,165	12,729	31,552	10,712	2,416	9,207	6,989	3,862
Maine	49,912	13,354	3,351	6,075	5,127	4,187	2,462	1,628	3,438	2,889	1,186
Maryland	224,930	71,406	5,832	12,289	14,824	18,332	20,720	6,813	6,075	14,637	9,430
Massachusetts	229,608	54,843	2,173	13,464	19,865	42,372	15,108	7,810	5,293	17,109	15,201
Michigan	377,089	153,423	6,169	12,550	37,183	46,715	42,656	10,341	10,762	11,740	9,075
Minnesota	179,629	87,743	4,891	14,255	4,658	19,174	5,954	2,711	9,354	8,203	4,096
Mississippi	84,517	27,766	3,139	5,371	5,591	12,388	4,812	1,893	7,226	3,279	1,274
Missouri	140,410	43,471	4,276	12,876	10,105	21,999	10,465	4,639	4,437	5,431	7,032
Montana	32,692	11,333	1,446	3,860	2,123	2,168	1,398	761	2,845	2,374	472
Nebraska	58,605	22,187	1,407	4,317	4,821	7,784	3,403	1,489	3,183	1,985	1,592
Nevada	45,157	15,199	808	3,503	2,128	2,129	4,737	864	2,486	2,918	1,116
New Hampshire	36,988	12,812	759	4,066	2,090	2,141	2,557	1,054	953	1,556	1,982
New Jersey	318,712	76,973	21,060	27,162	18,249	40,181	28,047	14,510	4,490	13,306	14,131
New Mexico	79,130	31,507	1,734	5,347	3,768	9,094	4,576	1,200	3,655	5,176	3,672
New York	838,877	143,018	17,054	38,209	23,463	192,540	97,709	19,599	10,905	48,418	61,784
North Carolina	244,162	95,309	7,200	23,554	2,775	31,601	22,142	7,505	11,142	8,264	11,501
North Dakota	28,506	13,683	785	1,988	635	2,604	589	445	2,185	836	750
Ohio	320,513	144,821	6,593	21,540	5,197	41,799	25,217	6,076	9,289	13,820	5,725
Oklahoma	123,923	42,575	4,206	7,061	13,762	13,791	7,853	3,617	3,962	6,069	4,330
Oregon	112,182	38,382	2,125	6,951	8,017	12,739	6,091	3,543	6,474	8,399	5,299
Pennsylvania	307,122	79,297	5,646	29,079	23,894	50,699	17,766	15,383	14,297	22,747	9,446
Rhode Island	51,040	14,730	2,236	2,448	4,207	4,015	4,590	977	1,678	3,555	2,506
South Carolina	150,167	55,233	6,793	7,331	9,039	16,805	12,389	3,470	5,003	6,545	1,619
South Dakota	24,924	8,956	742	2,349	1,667	2,136	903	527	1,884	1,393	1,065
Tennessee	157,107	63,546	4,156	9,048	10,306	19,589	11,907	4,243	4,641	6,856	4,140
Texas	474,010	192,271	9,710	31,983	30,169	65,949	42,018	7,637	16,687	19,737	10,515
Utah	72,151	32,394	1,808	4,130	4,322	7,176	4,030	1,534	2,892	3,245	2,282
Vermont	29,115	10,307	808	2,444	2,151	1,405	1,598	1,461	1,493	1,664	1,284
Virginia	253,787	99,845	6,992	24,015	4,659	34,105	18,724	6,204	8,002	10,601	7,316
Washington	207,429	84,006	4,220	15,623	13,613	14,215	12,044	4,752	11,679	7,716	4,375
West Virginia	61,650	25,136	2,921	9,666	3,222	3,321	1,107	1,540	3,284	2,946	1,907
Wisconsin	152,660	73,885	3,680	5,673	2,528	15,341	10,741	2,115	4,932	10,251	4,881
Wyoming	21,355	6,281	382	3,662	913	1,516	916	502	1,599	1,616	870

Source: U.S. Department of Commerce, Bureau of the Census, *Public Employment: 1990.*

(a) Includes instructional and other personnel.

(b) Includes instructional and other personnel in elementary and secondary schools.

FINANCES OF STATE-ADMINISTERED PUBLIC EMPLOYEE RETIREMENT SYSTEMS: FISCAL 1990

By Henry S. Wulf

State government retirement systems serve two broad purposes. First, they provide a systematic method for ensuring retirement income to a large number of state and local government employees. Second, they form an important source of investment capital.

Their existence as both state government agencies and influential players in the capital markets means they are often subject to significant economic and political currents. The recession, for example, has hurt their ability to earn acceptable returns. Problems among traditional lenders, such as banks and savings and loan institutions, have created new investment opportunities and pressures. And the effect of the recession on the overall fiscal conditions of state governments has prompted them to consider changing retirement system funding formulas and using the vast resources of the state retirement systems to boost local economies.

This article provides a picture of the state-administered public employee-retirement systems' conditions, problems and opportunities at the beginning of the 1990s.[1]

Summary

At the end of fiscal 1989-1990, there were 204 state-administered public employee retirement systems. Over the past decade, the total number of state systems has remained fairly constant.[2] Changes that occurred were usually the result of states wanting to create a new class of employees for retirement purposes, such as judges or police; to consolidate existing systems for administrative or financial reasons; or to assume responsibility for local government employee retirement systems.

The 204 state systems provided retirement coverage to the vast majority of state and local government employees. A total of 12.3 million public employees were members of the nearly 2,400 state and local government employee retirement systems in fiscal 1990. However, the 204 state systems provided coverage for more than 10.6 million or 87 percent of these employees.

In 1990, the state-administered systems controlled assets totaling $575 billion, nearly 80 percent of the more than $721 billion in total assets held by all public systems, including local governments. Almost 75 percent of the state retirement system assets was in three types of investments: corporate stocks worth $170 billion (29.6 percent); federal government securities worth $139 billion (24.3 percent); and corporate bonds worth $120 billion (20.8 percent). The remaining quarter of the portfolio consisted of a variety of other investments such as mortgages, savings deposits and real estate holdings.

Membership

State-administered systems provided retirement coverage to 10.6 million members, active and inactive. Active members, by far the largest portion with 9.2 million members, are current employees of state and local governments. Inactive members, mostly former employees who had acquired a vested right to receive retirement benefits or employees on military or extended leave without pay who retained retirement credits in the system, totaled nearly 1.4 million members, or 13 percent of the total.

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System Coverage

Coverage describes the types of employees eligible for membership in retirement systems. These divide broadly into two categories for state-administered systems — general coverage and limited coverage. General coverage systems include employees in varied and assorted occupations and activities. Limited coverage systems are those restricted to specific job categories (teachers, police officers or fire fighters) or functions (education, highways or hospitals).

More than 60 of the state-administered systems are general in their coverage and provide retirement coverage for about 60 percent of all members. The remaining 40 percent of the membership is covered by nearly 40 limited coverage systems for education, 50 for public safety activities, and the remainder for a variety of other specific occupations such as judges, assessors and legislators. The number of these limited coverage systems, however, does not indicate the magnitude of membership or financial importance. For example, the education systems account for about one-third of the membership, the miscellaneous systems, 6 percent, and the public safety systems — the largest number of limited coverage systems — just 2 percent.

System Size

For the most part, state-administered retirement systems are large and important organizations. Of the 204 systems, for example, 82 had memberships exceeding 25,000, and only 23 had fewer than 100 members. When contrasted with employee retirement systems administered by local governments, the size of the state-administered systems is shown in even greater relief. Of the nearly 2,200 locally administered public employee retirement systems, only nine had memberships greater than 25,000. More than 1,500 of the local systems had 100 or fewer members.

Membership and financial activity are highly concentrated in the largest systems. For example, the 82 state systems (with memberships of 25,000 or more) provided retirement coverage for 10.2 million members, or better than 95 percent of the total.

The 10 largest systems alone cover nearly four out of every 10 members and control about 40 percent of the state system assets. The largest systems, in order of membership size were: California Public Employees (658,000), New York State Employees (650,000), Florida Retirement System (546,000), Texas Teachers Retirement Fund (494,000), Ohio Public Employees (347,000), California State Teachers (334,000), Michigan Public School Retirement (298,000), New Jersey Public Employees (278,000), Wisconsin Public Employees (270,000) and North Carolina Public Employees (268,000).

To demonstrate the significance of these large state systems, it is useful to compare them to similar organizations in the private sector. A recent compilation of assets for the top public and private pension systems shows that state-administered retirement systems held 15 of the first 25 positions. The state systems control assets comparable to such enormous private retirement funds as AT&T, General Motors, General Electric, IBM, Ford Motor, and E. I duPont.[3]

Receipts

There are three sources of revenue for retirement systems: contributions from employees, contributions from governments, and earnings on investments. Of the $89 billion in state-administered retirement system revenues, nearly three of every five dollars ($52 billion) derived from investment earnings, followed by state government contributions ($14 billion), employee contributions ($12 billion) and local government contributions ($12 billion).

One of the most noticeable and important trends in the finances of state retirement systems is the increased percentage of revenues from investment earnings. This is especially evident when viewed in historical perspective over the past two decades. In 1990, investment earnings accounted for more than 58 percent of all revenues, an historic high. From 1987 to 1989, the average was 56 percent. However, as recently as 1980 through 1986 the average was only 44 percent. In 1977, investment earnings were 32 percent of the total receipts and in 1972, just 28 percent.

There are several reasons for this trend, the first being the modification of the traditional asset composition. Legal and attitudinal changes enabled the systems to pursue different modes of investment. Equally important have been the generally favorable investment opportunities during the 1980s.[4]

A related issue, however, is whether the systems will be able to maintain their investment pace in the recessionary conditions of 1991 and 1992. They are under considerable pressure to do so because state governments, undergoing general financial stress, do not want to make up any shortfalls to the retirement systems.

The growth rates from 1989 to 1990 in employee and government contributions were nearly 8 percent and 5 percent, respectively. These are in line with the trends over the past five years. Employee contribution increases from 1985 to 1990 averaged slightly more than 8 percent and government contributions over 4 percent. They must be compared, however, with investment earnings, which grew at an average annual rate of almost 14 percent from 1985 to 1990.

Benefit Payments and Other Outlays

Total state retirement system outlays amounted to $31 billion in 1990, up 10 percent from 1989. These retirement system expenditures fall into three categories: benefits paid, withdrawals, and a miscellaneous category covering direct administrative costs and related incidental payments.

For the single largest outlay, periodic benefit payments, the state-administered retirement systems expended nearly $28 billion. There were withdrawals of $2 billion, and the remainder of the payments, $933 million, went for administrative and miscellaneous expenses.

Benefit payments sustained a high rate of annual growth from 1985 to 1990, averaging more than 11 percent. While not quite as spectacular as the average annual increases of 14 percent in the early 1980s, it was substantial nevertheless. Interpreting these changes is difficult, however, because of the wide variety of influences such as inflation, the composition and number of beneficiaries, and the consolidation of smaller local government retirement systems into state systems.

Benefit Payments in Relation to Other Retirement Programs

State retirement benefits can be supplemented by a variety of different retirement programs, chief among them, federal Social Security. Some states also offer deferred compensation and investment programs. The existence of these supplementary programs can influence the amount of benefits paid directly by the state.

The precise number of state retirement system members who are covered under Social Security is not known. Where information is available, however, Social Security appears to be an important element in the overall provision of retirement benefits. In Indiana, for example, about 80 percent of the state retirement system membership is covered by Social Security.

Important changes have occurred in state government employees eligibility for Social Security, especially in the last decade. Before 1951, no public employees were eligible to participate. Federal legislation at that time allowed state governments the option of participating. A number of states chose to participate, but retained the right to withdraw. In 1984, new federal amendments required states covered by Social Security to remain in the system. A further legal change effective in 1986 was mandatory coverage for the health insurance portion of Social Security (Medicare) for all newly hired state employees. With this last change, state governments were given the option of extending Medicare coverage to all employees.

Beneficiaries and Monthly Benefit Payments

In 1990, more than 3.2 million beneficiaries received periodic benefit payments from state retirement systems. Most of these beneficiaries — 88 percent or 2.9 million — were retired on account of age or length of service. The systems also provided benefit payments to survivors of deceased former members (213,000) and employees retired on account of disabilities (148,000).

The average monthly payment for beneficiaries was $677, an 8 percent increase over the previous 12 months when the average received was $624. Starting in 1989, the monthly payments to persons retired on disability ($711 in 1990) exceeded the payments to those retired for age or length of service ($693 in 1990). Survivors of deceased members collect a much smaller monthly payment ($437).

The states show a considerable range in their average monthly benefit payments. The highest ranking states were Alaska ($1,257), Connecticut ($990), Maryland ($943), Colorado ($926) and Nevada ($907). Five states had average payments of less than $400: North Dakota ($394), Nebraska ($356), South Dakota ($349), Kansas ($337) and Iowa ($294).

Interpreting state averages requires considerable caution, however. Among the determinants influencing these payments are general wage levels for the state area, the number and type of employees receiving benefits, and the availability of alternative or supplemental retirement programs, especially Social Security. The development of tiered benefit programs further complicates analysis. Tiered benefit programs have been established in a number of governments to differentiate among newer and older employees in terms of service qualifications, age criteria and access to benefits.

Receipts Compared with Payments

Receipts for state retirement systems exceeded benefit payments by $59 billion in 1990. This is a normal pattern since retirement systems must increase their assets each year to meet obligations to future beneficiaries. A relative measure of the ability to cover these future liabilities is a calculation of the excess of revenues over expenditures as a percentage of all cash and security holdings.

In 1990, the ratio amounted to 10.2 percent, the lowest in about the last two decades. The high point in the 1980s was in 1986 when the ratio reached 14 percent. Since that time, however, the ratio has decreased each year.

It is difficult to discern what this might portend for state retirement systems. Conventional wisdom would cite this trend as a sign that the systems might not be sufficiently funded to meet their financial obligations. Yet it is also possible that the previous levels had over-funded the systems. Perhaps there have been some fundamental changes in the nature of the systems or in demographic trends that alter the meaning of these data. Nevertheless, this ratio bears watching since it appears to be at an historic low.

Investments and Assets

State retirement systems are among the largest institutional investors. The composition of their investment portfolio therefore, is important to financial market analysts.

State retirement systems controlled $575 billion in cash and investment holdings at the end of fiscal 1990. Corporate stocks remained the largest portion of the holdings with slightly less than 30 percent of the total; following were corporate bonds (20.8 percent), U.S. treasury securities (18.9 percent), cash and short-term investments (6.8 percent), and federal agency securities (5.4 percent). The remainder — 18 percent of the total — was invested in varied financial vehicles such as bank deposits, repurchase agreements, guaranteed investment accounts, mutual fund shares, international securities, partnerships, real estate holdings, venture capital, leveraged buy-outs and junk bonds.

The three major categories — corporate stocks, corporate bonds and U.S. Treasury securities — totaled slightly under 70 percent of all assets in 1990. This represents a decline from the recent peak of 76 percent in 1988, and is the lowest since 1984, when it stood at 67 percent.

Where have the state systems invested this money? Apparently into some new, non-traditional or less frequently used investments. In 1990, as noted above, 18 percent of the assets were in a miscellaneous category that used a potpourri of investments. Just two years earlier, these totaled less than 12 percent. Whether this is a trend or a temporary aberration is not yet clear. However, there has been discussion about expanding investments in options such as private placements, international investments and variations of real estate ventures, such as construction loans for single-family developments.[5]

Current Issues

There are some new issues in the economic and government spheres that might affect the state retirement systems. Other issues on this public agenda, however, are not new. But just as each economic cycle brings its own variations, so do these issues each time they are revisited. Following are some of the more prominent ones:

Political Impact of the Recession. Several governors and legislatures have tried to use their retirement systems to ameliorate the current fiscal difficulties. This has taken two tacks primarily. One deals with the financial relationship between the state government and its retirement systems. There are examples, such as in California and New Jersey, where proposals have been advanced to reduce appropriations to the retirement systems and change financial or actuarial assumptions. The other addresses problems in the general economy. There is a political thrust to get the systems to target economic development projects that will boost local economies. Commentators have noted that this "social investing" sometimes leads to bad investment decisions and point to recent losses in excess of $100 million suffered by a Kansas system in just such a venture. Somewhat of a wild card in this is the public's reaction to what is viewed as manipulation. In November 1991, for example, Maine voters overwhelmingly approved a constitutional amendment barring the state government from taking back budgeted contributions to the state retirement system.

Changing Demographics and Lifestyles. In the private and public sectors there is a development in human-resources strategy that views retirement as only one part of a total compensation package. Because of this, state retirement systems are becoming involved in issues affecting workers that go beyond their traditional interests. This includes: the composition of the workforce; the impact of automation; and social trends, such as the tendency to move from organization to organization, have children later in life, produce fewer children and retire early. Discussions and advancement of these ideas about relationships between retirement systems and compensation could substantially affect the purpose, scope and organization of state retirement systems.

Investment Opportunities. Each week finds new investment opportunities for state retirement systems. Their participation in ventures is actively sought, especially in areas where banks or savings and loan institutions have cut back or withdrawn. Traditionally, the investments of the state funds have been very conservative. They appear to be breaking out of that mold, however, and will need to examine risk and return relationships carefully in filling voids left by other investors or in seeking increased returns to bolster lagging government contributions.

Ownership by Retirement Systems. Commentators have pointed out that public employee-retirement systems have moved from being passive investors to owners who are demanding a say in choosing management.[6] This manifested itself when some systems demanded a say in the selection process of the chairman of General Motors. Could this mean that state retirement systems will assume new roles and new responsibilities toward their beneficiaries, their governments and the private sector? Their importance as providers of a significant social service and capital assures that this matter will receive considerable discussion in the future.

Additional Data Sources

The Bureau of the Census compiles and publishes statistics on this topic in three series of publications. *Finances of Selected Public-Employee Retirement Systems* is a quarterly report containing national summary data. *Finances of Employee-Retirement Systems of State and Local Governments in (Year)* is an annual publication containing national and state level data for these systems. It also contains detail on the finances and membership of major state government systems. As part of the Census of Governments (in years ending in 2 and 7), the Bureau of the Census also publishes *Employee Retirement Systems of State and Local Governments*, as well as *Government Costs for Employee Benefits.*

Notes

[1] The data in this article derive primarily from U.S. Bureau of the Census annual surveys of state and local government employee retirement systems.

[2] The 1982 Census of Governments conducted by the U.S. Bureau of the Census counted 190 state-administered systems in 1971-72.

[3] "Top 200 Pension Funds/Sponsors," *Pensions & Investments*, January 20, 1992.

[4] For a good historical perspective on state retirement system finances, see "Growth and Maturation of State Pension Funds," by Clarence C. Elebash and Suzanne Taylor, *Journal of Education Finance*, Spring 1991. One point the authors make relative to the issue of investment earnings is just how much more conservative state retirement systems still are compared with their private sector counterparts. They illustrate this by noting that private pension funds typically have about half their assets in common stocks, while the state systems have about one-third of their non-cash investments in equities.

[5] For some current examples see: "International Investments Expected to Grow," by Margaret Proce and Nancy K. Webman, *Pensions & Investments*, November 25, 1991; "California Develops Housing Program," by Steve Hemmerick, *Pensions & Investments*, February 3, 1992; and "Mortgage Market Tempts More Funds," by Steve Hemmerick, *Pensions & Investments*, February 17, 1992.

[6] See especially "Reckoning with the Pension Revolution," by Peter F. Drucker, *Harvard Business Review*, March-April 1991.

Table 7.29
NUMBER, MEMBERSHIP AND MONTHLY BENEFIT PAYMENTS OF STATE-ADMINISTERED EMPLOYEE RETIREMENT SYSTEMS: 1986-87 THROUGH 1989-90

Item	*1989-90**	*1988-89*	*1986-87*	*1985-86*
Number of systems	204	204	201	198
Membership, last month of fiscal year:				
Total number	10,641,661	11,022,437	10,236,352	10,378,470
Active members	9,242,854	9,689,662	9,214,371	9,049,425
Other	1,398,807	1,332,775	1,021,981	1,329,045
Percent distribution	100.0	100.0	100.0	100.0
Active members	86.9	87.9	90.0	87.2
Other	13.1	12.1	10.0	12.8
Beneficiaries receiving periodic benefits:				
Total number	3,232,168	3,119,605	2,952,229	2,760,304
Persons retired on account of age or length of service	2,871,047	2,751,691	2,667,900	2,437,191
Persons retired on account of disability	148,238	145,945	126,242	146,315
Survivors of deceased former members	212,833	221,969	148,087	176,798
Percent distribution	100.0	100.0	100.0	100.0
Persons retired on account of age or length of service	88.8	88.2	90.4	88.3
Persons retired on account of disability	4.6	4.6	4.3	5.3
Survivors of deceased former members	6.6	7.1	5.0	6.4
Recurrent benefit payments for last month of fiscal year:				
Total amount (in thousands)	$2,188,900	$1,945,999	$1,604,885	$1,392,523
To persons retired on account of age or length of service	$1,990,460	$1,767,199	$1,495,041	$1,267,546
To persons retired on account of disability	$105,461	$95,843	$68,657	$77,068
To survivors of deceased former members	$92,979	$82,956	$41,187	$47,908
Percent distribution	100.0	100.0	100.0	100.0
For persons retired on account of age or length of service	90.9	90.8	93.2	91.0
For persons retired on account of disability	4.8	4.9	4.3	5.5
For survivors of deceased former members	4.3	4.2	2.6	3.4
Average monthly payment for beneficiaries:				
Average for all beneficiaries (in dollars)	$677	$624	$544	$504
For persons retired on account of age or length of service	$693	$642	$558	$520
For persons retired on account of disability	$711	$657	$464	$527
For survivors of deceased former members	$437	$374	$326	$271

* 1989-90 preliminary data.

Source: U.S. Department of Commerce, Bureau of the Census, *Finances of Employee Retirement Systems of State and Local Governments* (year).

Note: Detail may not add to totals due to rounding.

Table 7.30

NATIONAL SUMMARY OF FINANCES OF STATE-ADMINISTERED EMPLOYEE RETIREMENT SYSTEMS: SELECTED YEARS, 1983-1990

	Amounts (in millions of dollars)							*Percentage distribution*			
	*1989-90**	*1988-89*	*1987-88*	*1986-87*	*1985-86*	*1984-85*	*1983-84*	*1989-90**	*1988-89*	*1987-88*	*1986-87*
Receipts	$ 89,165	$ 81,090	$ 76,444	$ 77,706	$ 68,982	$ 55,791	$ 49,152	100.0	$ 44,847	100.0	100.0
Employee Contributions	11,648	10,813	9,942	9,428	8,939	7,901	7,278	13.1	13.3	13.0	12.1
Government Contributions	25,505	24,357	23,394	23,258	21,693	20,751	18,738	28.6	30.0	30.6	29.9
From State Government	13,968	13,155	12,978	13,199	12,162	11,976	10,458	15.7	16.2	16.7	17.0
From Local Government	11,537	11,202	10,596	10,059	9,531	8,944	8,280	12.9	13.8	13.9	12.9
Earnings on Investments	52,012	45,919	43,108	45,021	38,350	27,139	22,856	58.3	56.6	56.4	57.9
Payments	30,512	24,861	30,512	22,734	20,472	18,602	16,266	100.0	100.0	100.0	100.0
Benefits	27,538	25,277	22,445	20,537	18,187	16,183	14,578	90.3	91.2	90.2	90.3
Withdrawals	20,041	1,702	1,765	1,652	1,691	2,047	1,533	6.7	6.1	7.1	7.3
Other	933	725	652	545	595	372	155	3.0	2.6	2.6	2.4
Amount of Cash FY	575,466	503,074	446,658	407,953	346,867	296,951	258,355	100.0	100.0	100.0	100.0
Cash and Deposits	39,323	39,927	28,747 (R)	26,961	10,651	12,267	8,381	6.9	7.9	6.4	3.4
Cash and Demand Deposits	2,744	1,527	3,096	2,048	. . .	. . .	. . .	0.5	0.3	0.7	0.5
Time or Savings Deposits	36,579	38,445	25,650	11,913	. . .	. . .	. . .	6.4	7.6	5.7	2.9
Securities	494,469	438,246	400,482	377,750	325,358	278,626	241,673	85.9	87.1	89.7	92.6
Governmental	140,062	128,438	118,394	112,660	91,483	86,589	67,432	24.3	25.5	26.5	27.6
Federal Government	139,956	128,294	118,273	112,570	91,137	86,208	66,749	24.3	25.5	26.5	27.6
U.S. Treasury	109,029	97,295	91,114	88,944	68,876	61,334	45,188	18.9	19.3	20.4	21.8
Federal Agency	30,927	31,000	27,159	23,626	22,262	24,864	21,561	5.4	6.2	6.1	5.8
State and Local Governments	106	143	122	90	346	381	683	. . .	. . .	. . .	0.0
Nongovernmental	354,407	309,809	282,088	265,090	233,875	192,037	174,241	61.6	61.6	63.2	65.0
Corporate Bonds	119,799	109,706	96,359	76,741	77,138	67,208	60,646	20.8	21.8	21.6	18.8
Corporate Stocks	170,536	153,476	151,943	133,288	110,721	84,331	66,201	29.6	30.5	34.0	32.7
Mortgages	26,699	16,739	19,597	27,117	29,572	23,902	22,301	4.6	3.3	4.4	6.6
Funds held in trust	14,095	12,303	6,194	7,335	. . .	. . .	. . .	2.4	2.4	1.4	1.8
Other securities	23,307	17,585	7,995	7,609	16,444	16,596	25,093	4.1	3.5	1.8	1.9
Other Investments	41,657	24,856	17,429	16,243	10,858	6,058	8,301	7.2	4.9	3.9	4.0
Real Property	14,083	8,869	6,239	5,523	5,000	3,400	2,658	2.6	1.8	1.4	1.4
Miscellaneous Investments	26,689	15,961	11,189	10,720	5,858	2,658	5,643	4.6	3.1	2.5	2.6

* 1989-90 preliminary data.

Source: U.S. Department of Commerce, Bureau of the Census, *Finances of Employee Retirement Systems of State and Local Governments* (year).

Key:
. . . — Not available
(R) — Revised

Table 7.31
MEMBERSHIP AND BENEFIT OPERATIONS OF STATE-ADMINISTERED EMPLOYEE RETIREMENT SYSTEMS: LAST MONTH OF FISCAL YEAR 1988-89

		Benefit Operations, last month of fiscal year							
		Beneficiaries receiving periodic benefit payments				*Periodic benefit payment for the month (in thousands of dollars)*			
State	*Membership, last month of the fiscal year*	*Total* (a)	*Persons retired on account of age or length of service*	*Persons retired on account of disability*	*Survivors of deceased former members (no. of payees)*	*Total* (a)	*Persons retired on account of age or length of service*	*Persons retired on account of disability*	*To survivors of deceased former members*
United States	11,022,437	3,119,605	2,751,691	145,945	221,969	$1,945,999	$1,767,199	$95,843	$82,956
Alabama	170,298	43,262	37,811	2,683	2,768	28,118	25,426	1,528	1,163
Alaska	43,264	10,037	9,198	262	577	12,091	11,207	529	355
Arizona	148,278	31,436	30,681	289	466	19,794	18,292	148	1,354
Arkansas	95,020	22,690	19,567	1,842	1,281	11,509	10,387	726	395
California	1,057,436	373,750	299,256	35,548	38,946	297,037	257,955	29,503	9,580
Colorado	115,248	34,258	28,303	4,183	1,772	28,971	24,651	3,464	857
Connecticut	140,829	37,207	33,436	2,172	1,599	33,266	30,965	1,418	883
Delaware	32,247	10,913	7,981	1,258	1,674	5,488	4,735	412	340
Florida	517,823	101,788	84,353	6,482	10,953	55,784	49,096	2,398	4,290
Georgia	274,198	50,847	42,760	3,062	5,025	35,972	31,483	2,149	2,340
Hawaii	52,800	20,778	19,389	1,146	243	16,098	15,454	578	66
Idaho	53,500	16,364	16,351	1	12	6,537	6,532	1	5
Illinois	439,553	130,868	104,642	4,565	21,661	74,566	66,268	2,943	5,356
Indiana	243,760	64,707	56,833	2,427	5,447	29,072	25,033	573	3,466
Iowa	146,033	48,080	47,937	49	94	13,343	13,210	73	60
Kansas	114,169	37,250	35,323	0	1,927	14,279	13,422	0	857
Kentucky	165,992	45,508	43,682	993	833	25,920	24,721	727	472
Louisiana	209,879	66,952	58,585	2,819	5,548	55,542	51,150	1,493	2,899
Maine	79,098	22,806	22,806	0	0	13,125	13,125	0	0
Maryland	175,546	47,270	46,923	0	347	38,892	38,174	0	718
Massachusetts	228,225	58,630	55,986	722	1,922	44,621	42,144	684	1,793
Michigan	378,540	114,555	103,363	5,428	5,764	66,434	60,327	2,528	3,578
Minnesota	255,485	60,555	52,251	1,739	6,565	35,945	33,074	862	2,009
Mississippi	174,750	30,785	26,691	1,567	2,527	14,888	12,860	773	1,255
Missouri	151,525	40,909	35,599	1,784	3,526	22,240	20,492	758	990
Montana	58,138	17,153	15,161	1,294	698	8,917	7,935	657	325
Nebraska	37,065	6,647	6,229	123	295	2,114	1,961	49	104
Nevada	78,742	11,022	8,683	576	1,763	9,257	8,024	410	823
New Hampshire	37,050	8,908	8,908	0	0	4,033	4,033	0	0
New Jersey	421,355	110,157	106,917	1,897	1,343	79,313	76,544	1,814	955
New Mexico	108,654	18,800	17,494	606	700	14,482	13,842	279	360
New York	831,419	289,001	270,594	1,538	16,869	183,069	173,633	1,068	8,369
North Carolina	373,713	85,422	68,499	9,114	7,809	48,742	40,680	5,014	3,047
North Dakota	26,319	6,346	5,728	116	502	2,327	2,145	44	138
Ohio	687,191	229,887	191,715	16,893	21,279	150,656	126,370	14,789	9,496
Oklahoma	138,296	45,420	38,641	1,827	4,952	34,159	31,028	1,346	1,786
Oregon	139,800	52,542	46,421	3,932	2,189	27,385	24,209	2,027	1,150
Pennsylvania	359,072	165,865	148,564	7,747	9,554	85,438	79,590	2,920	2,928
Rhode Island	31,671	13,336	13,036	0	300	10,280	10,101	0	179
South Carolina	261,163	41,410	34,329	4,025	3,056	25,310	21,968	2,070	1,272

Table 7.33
FINANCES OF STATE-ADMINISTERED EMPLOYEE RETIREMENT SYSTEMS, BY STATE: FISCAL 1989-90
(In thousands of dollars)

	Receipts during fiscal year					*Payments during fiscal year*			
			Government contributions						
State	*Total*	*Employee contributions*	*From states*	*From local governments*	*Earnings on investments*	*Total*	*Benefits*	*Withdrawals*	*Other*
United States	$89,165,386	$11,648,000	$13,968,244	$11,536,955	$52,012,187	$30,511,856	$27,537,781	$2,040,701	$933,374
Alabama	1,391,275	196,999	284,077	52,072	858,127	420,882	378,166	36,025	6,691
Alaska	599,181	104,713	68,169	72,959	353,340	210,970	188,290	14,133	8,547
Arizona	1,205,943	95,117	21,559	72,665	1,016,602	427,779	343,284	34,463	50,032
Arkansas	473,029	35,352	123,099	11,533	303,045	168,105	155,565	6,693	5,847
California	15,528,464	2,176,991	1,561,142	1,646,174	10,144,157	4,334,924	3,956,122	270,769	108,033
Colorado	1,566,784	226,826	138,117	263,918	937,923	454,922	398,725	40,304	15,893
Connecticut	1,380,958	143,701	675,031	18,733	543,493	494,619	483,471	10,418	730
Delaware	221,987	17,051	72,196	875	131,865	81,762	71,140	1,729	8,893
Florida	3,225,840	15,990	445,207	1,335,442	1,429,201	752,667	729,881	2,520	20,266
Georgia	2,226,276	265,892	579,254	150,482	1,230,648	574,944	514,785	39,721	20,438
Hawaii	425,131	62,332	10,154	3,438	349,207	256,486	204,565	40,003	11,918
Idaho	267,347	55,331	32,932	62,587	116,497	105,484	85,651	12,072	7,761
Illinois	3,038,972	632,742	478,054	232,923	1,695,253	1,270,243	1,094,990	78,663	96,590
Indiana	1,011,679	143,035	302,661	108,554	457,429	384,533	345,767	30,059	8,707
Iowa	676,530	97,540	37,430	117,143	424,417	207,952	173,011	22,000	12,941
Kansas	618,892	112,356	69,397	31,389	405,750	224,686	183,252	23,226	18,208
Kentucky	1,262,755	224,772	266,801	80,658	690,524	406,946	379,987	19,709	7,250
Louisiana	1,468,912	299,447	476,707	50,916	641,842	782,195	693,221	58,537	30,437
Maine	387,999	60,171	163,253	24,575	140,000	157,500	157,500	0	0
Maryland	1,796,182	111,373	562,229	18,743	1,103,837	659,705	534,658	125,047	0
Massachusetts	1,299,475	336,595	508,083	12,780	442,017	617,253	515,981	96,913	4,359
Michigan	2,604,339	175,539	497,414	272,905	1,658,481	1,080,312	1,047,426	17,830	15,056
Minnesota	1,827,522	252,657	97,095	274,380	1,203,390	542,151	484,148	34,735	23,268
Mississippi	761,118	163,457	87,141	136,493	374,027	285,957	219,522	37,433	29,002
Missouri	1,334,242	168,760	175,421	184,652	805,409	364,902	296,893	48,079	19,930
Montana	280,935	65,716	21,503	51,132	142,584	135,152	113,944	19,472	1,736
Nebraska	175,998	44,877	11,181	43,740	76,200	38,804	30,026	5,949	2,829
Nevada	520,480	10,105	58,068	204,362	247,945	136,728	125,115	3,928	7,685
New Hampshire	166,198	54,512	29,151	14,168	68,367	50,627	35,631	12,638	2,358
New Jersey	3,784,484	529,688	1,014,375	401,994	1,838,427	1,341,355	1,245,295	52,408	43,652
New Mexico	721,535	138,813	92,442	78,403	411,877	227,906	190,487	30,162	7,257
New York	7,391,647	285,599	328,630	1,155,039	5,622,379	2,702,174	2,583,742	60,062	58,370
North Carolina	2,427,349	417,518	490,464	94,438	1,424,929	722,669	626,900	66,714	29,055
North Dakota	109,665	26,979	9,002	18,264	55,420	40,074	30,753	6,561	2,760
Ohio	6,254,761	1,103,322	495,995	1,419,050	3,236,394	2,536,138	2,372,200	114,962	48,976
Oklahoma	878,163	153,137	151,668	172,832	400,526	481,678	446,647	20,545	14,486
Oregon	669,855	165,039	124,978	251,924	127,914	473,677	366,388	46,183	61,106
Pennsylvania	4,237,209	481,827	957,779	560,979	2,236,624	1,547,577	1,480,388	28,415	38,774
Rhode Island	471,166	65,760	84,399	45,501	275,506	131,761	123,954	5,078	2,729
South Carolina	1,268,430	242,521	142,280	191,977	691,652	404,988	360,410	39,200	5,378
South Dakota	197,221	33,161	12,649	20,500	130,911	52,448	43,517	7,479	1,452
Tennessee	1,241,420	95,957	324,724	32,023	788,716	298,736	278,175	20,561	0
Texas	5,037,897	1,020,352	980,590	223,232	2,813,723	1,692,342	1,409,664	247,352	35,326
Utah	550,862	45,497	35,305	116,525	353,535	169,858	145,081	19,896	4,881
Vermont	107,578	2,788	40,554	1,541	62,695	36,330	31,060	531	4,739
Virginia	1,702,670	67,447	183,714	555,351	896,158	431,296	390,113	31,670	9,513
Washington	1,921,811	324,300	384,609	129,675	1,083,227	693,690	645,559	45,895	2,236
West Virginia	227,820	78,040	38,985	12,579	98,216	237,021	218,626	16,685	1,710
Wisconsin	2,041,543	11,688	188,298	468,033	1,373,524	593,679	555,145	28,038	10,496
Wyoming	179,809	8,618	34,278	37,599	99,314	67,536	53,162	9,236	5,138

FINANCES OF STATE-ADMINISTERED EMPLOYEE RETIREMENT SYSTEMS, BY STATE: FISCAL 1989-90—Continued
(In thousands of dollars)

	Cash and security holdings at end of fiscal year						
			Governmental securities				
			Federal securities				
State	*Total*	*Cash and deposits*	*Total*	*U.S. Treasury*	*Federal agency*	*State and local*	*Nongovernmental securities*
United States	$575,466,166	$39,322,770	$139,955,985	$109,028,836	$30,927,149	$105,601	$354,406,745
Alabama	8,814,147	616,890	212,552	212,552	0	0	7,949,805
Alaska	4,222,989	133,209	1,534,427	1,534,427	0	0	2,309,514
Arizona	10,022,940	1,703,083	3,422,390	2,934,929	487,461	0	4,894,270
Arkansas	3,919,588	697,242	1,203,269	1,070,131	133,138	28,130	1,988,034
California	91,566,031	5,567,607	18,253,623	14,749,067	3,504,556	8,272	61,051,853
Colorado	10,234,489	499,246	824,664	817,362	7,302	25,000	8,246,570
Connecticut	7,113,578	399,802	668,888	640,511	28,377	11,535	5,883,709
Delaware	1,632,058	262,379	85,338	85,338	0	0	1,064,476
Florida	18,437,575	1,752,323	4,483,730	2,241,865	2,241,865	0	11,450,948
Georgia	12,506,232	629,816	6,266,211	6,247,914	18,297	0	5,567,504
Hawaii	5,452,198	209,875	832,560	333,024	499,536	0	4,315,786
Idaho	1,564,416	102,579	574,658	574,658	0	0	766,048
Illinois	17,958,680	820,282	2,898,153	2,008,303	889,850	1,305	12,007,129
Indiana	5,522,486	404,002	2,886,237	1,644,017	1,242,220	2,626	2,229,361
Iowa	4,760,377	165,595	10,188	9,459	729	0	3,599,713
Kansas	3,801,772	263,547	570,404	505,839	64,565	0	2,500,704
Kentucky	6,824,301	1,046,905	1,705,976	1,084,963	621,013	0	3,916,736
Louisiana	7,433,338	874,770	2,900,735	2,236,471	664,264	0	3,639,193
Maine	1,520,150	34,842	0	0	0	0	1,482,201
Maryland	10,308,762	267	0	0	0	0	207,725
Massachusetts	6,139,818	44,895	42,659	31,675	10,984	0	3,379,976
Michigan	16,445,380	2,428,661	15,434	15,434	0	0	12,586,873
Minnesota	11,575,266	191,841	1,511,106	1,502,476	8,630	0	7,695,779
Mississippi	4,460,328	557,315	1,996,546	1,339,265	657,281	0	1,906,467
Missouri	8,953,312	865,227	1,791,016	702,576	1,088,440	7,933	6,142,557
Montana	1,616,279	4,531	86,529	86,529	0	0	1,410,344
Nebraska	1,108,214	68,147	312,792	76,234	236,558	0	727,275
Nevada	3,249,565	143,460	1,159,950	753,544	406,406	0	1,276,473
New Hampshire	1,303,637	119,903	156,887	156,887	0	0	1,016,482
New Jersey	21,864,410	15,952	1,305,271	0	1,305,271	0	20,516,813
New Mexico	3,866,441	418,910	1,409,151	1,261,358	147,793	0	2,032,462
New York	62,332,895	1,802,405	18,102,783	17,418,313	684,470	10	40,562,857
North Carolina	15,702,836	4,238,778	4,584,901	4,584,901	0	0	6,677,014
North Dakota	868,921	32,509	121,316	121,316	0	0	698,970
Ohio	42,313,953	5,544,800	16,423,316	11,414,230	5,009,086	2,710	16,666,188
Oklahoma	4,910,111	451,052	1,625,403	1,444,381	181,022	0	2,699,370
Oregon	6,633,230	330,947	690,257	527,323	162,934	0	4,156,312
Pennsylvania	25,108,413	1,219,108	6,341,584	5,198,196	1,143,388	0	16,310,572
Rhode Island	1,915,917	400,470	522,876	522,876	0	0	992,571
South Carolina	10,033,152	475,521	7,439,166	4,970,298	2,468,868	0	2,118,465
South Dakota	1,305,955	186,633	355,157	261,592	93,565	0	730,980
Tennessee	7,911,672	471,891	2,376,681	2,376,681	0	0	5,063,100
Texas	32,510,969	664,980	12,565,162	7,059,960	5,505,202	0	19,150,207
Utah	3,778,925	434,891	863,927	534,877	329,050	0	2,066,398
Vermont	679,757	58,649	96,518	79,481	17,037	0	480,232
Virginia	10,327,806	727,344	1,675,137	1,354,020	321,117	0	7,538,402
Washington	13,552,739	982,404	2,946,493	2,789,216	157,277	0	7,929,640
West Virginia	1,385,015	155,340	734,521	687,328	47,193	0	495,154
Wisconsin	18,162,711	90,401	3,073,624	2,531,220	542,404	18,080	14,782,464
Wyoming	1,844,239	11,544	295,819	295,819	0	0	1,536,876

Source: U.S. Department of Commerce, Bureau of the Census, *Finances of Employee-Retirement Systems of State and Local Governments* (1989-90 preliminary).

Note: Detail may not add to totals due to rounding.

MEMBERSHIP AND BENEFIT OPERATIONS, FISCAL YEAR 1988-89—Continued

		Benefit Operations, last month of fiscal year							
		Beneficiaries receiving periodic benefit payments				*Periodic benefit payment for the month (in thousands of dollars)*			
State	*Membership, last month of the fiscal year*	*Total* (a)	*Persons retired on account of age or length of service*	*Persons retired on account of disability*	*Survivors of deceased former members (no. of payees)*	*Total* (a)	*Persons retired on account of age or length of service*	*Persons retired on account of disability*	*To survivors of deceased former members*
South Dakota	31,889	9,951	8,502	216	1,233	3,408	3,014	101	293
Tennessee	195,799	51,155	46,131	2,228	2,796	21,870	20,199	621	1,050
Texas	770,364	150,534	124,921	6,624	18,989	97,790	89,042	4,309	4,439
Utah	85,017	19,073	18,372	701	0	7,599	7,264	334	0
Vermont	22,155	5,259	4,553	258	448	2,358	2,083	105	171
Virginia	239,083	69,034	69,034	0	0	31,482	31,482	0	0
Washington	213,699	73,373	73,343	22	8	49,499	49,495	3	1
West Virginia	102,344	34,523	28,815	1,775	3,933	15,392	14,304	490	598
Wisconsin	262,254	73,546	68,358	3,412	1,776	27,542	24,024	3,126	392
Wyoming	46,689	9,036	9,036	0	0	4,045	4,045	0	0

Source: U.S. Department of Commerce, Bureau of the Census, *Finances of Employee-Retirement Systems of State and Local Governments: 1988-89.*

(a) Detail may not add to totals due to rounding.

Table 7.32
MEMBERSHIP AND BENEFIT OPERATIONS OF STATE-ADMINISTERED EMPLOYEE RETIREMENT SYSTEMS: LAST MONTH OF FISCAL YEAR 1989-90

		Benefit Operations, last month of fiscal year							
		Beneficiaries receiving periodic benefit payments				*Periodic benefit payment for the month (in thousands of dollars)*			
State	*Membership, last month of the fiscal year*	*Total* (a)	*Persons retired on account of age or length of service*	*Persons retired on account of disability*	*Survivors of deceased former members (no. of payees)*	*Total* (a)	*Persons retired on account of age or length of service*	*Persons retired on account of disability*	*To survivors of deceased former members*
United States	10,641,661	3,232,168	2,871,097	148,238	212,833	$2,188,900	$1,990,460	$105,461	$92,979
Alabama	170,428	42,757	37,363	2,652	2,742	31,248	28,261	1,691	1,296
Alaska	45,662	10,551	9,635	288	628	13,263	12,368	490	406
Arizona	157,332	38,524	37,685	332	507	28,129	27,406	356	367
Arkansas	96,992	23,619	20,153	1,851	1,615	12,723	11,402	792	530
California	1,095,061	384,218	306,169	36,647	41,402	317,390	275,520	32,012	9,858
Colorado	116,071	35,781	29,532	4,467	1,782	33,149	26,742	3,859	2,547
Connecticut	113,763	39,660	35,710	2,174	1,776	39,265	36,823	1,438	1,004
Delaware	32,463	11,440	8,367	1,300	1,773	5,972	5,122	460	390
Florida	546,125	107,259	89,113	6,638	11,508	62,070	54,737	2,580	4,753
Georgia	280,672	53,312	44,761	3,184	5,367	43,049	37,854	2,480	2,715
Hawaii	53,509	20,495	18,997	990	508	17,059	16,417	572	71
Idaho	55,796	16,900	16,887	1	12	7,068	7,063	1	5
Illinois	452,311	146,526	117,957	4,690	23,879	83,802	74,282	3,084	6,436
Indiana	230,979	66,663	58,700	2,443	5,520	33,015	28,601	618	3,795
Iowa	193,560	49,067	48,914	58	95	14,429	14,280	90	60
Kansas	118,042	38,243	37,782	321	140	12,895	12,512	310	73
Kentucky	173,597	45,597	43,718	1,020	859	30,226	28,901	800	526
Louisiana	215,893	72,428	62,599	5,693	4,136	58,270	50,972	3,418	3,880
Maine	79,098	22,806	22,806	0	0	13,125	13,125	0	0
Maryland	173,907	47,270	46,923	0	347	44,555	43,647	0	908
Massachusetts	223,392	59,156	56,459	735	1,962	42,996	40,696	636	1,664
Michigan	398,057	115,715	98,905	5,629	11,181	86,063	75,186	3,298	7,579
Minnesota	263,446	63,552	56,902	1,803	4,847	40,461	37,296	970	2,195
Mississippi	157,296	32,012	26,919	1,827	3,266	18,651	15,631	1,086	1,934
Missouri	159,219	42,627	36,927	1,738	3,962	25,400	23,398	789	1,214
Montana	36,146	17,625	15,579	1,336	710	9,582	8,575	666	341
Nebraska	38,610	6,914	6,470	146	298	2,459	2,280	59	121
Nevada	87,115	11,826	10,418	612	796	10,722	9,217	468	1,036
New Hampshire	39,838	9,415	9,415	0	0	4,971	4,971	0	0
New Jersey	431,628	116,489	113,249	1,897	1,343	85,393	82,624	1,814	955
New Mexico	107,324	19,497	18,090	616	791	15,350	14,644	287	419
New York	855,734	300,370	280,288	1,541	18,541	213,076	201,837	938	10,301
North Carolina	384,606	88,976	71,825	8,919	8,232	54,538	5,896	5,206	3,436
North Dakota	25,727	6,675	6,081	98	496	2,632	2,450	34	148
Ohio	712,433	234,581	195,955	17,609	21,017	177,137	148,562	17,550	11,025
Oklahoma	142,361	44,797	41,435	1,745	1,617	36,480	34,344	1,455	681
Oregon	143,326	55,044	49,507	3,348	2,189	31,071	27,764	2,078	1,228
Pennsylvania	359,340	169,884	151,960	7,907	10,017	96,052	88,960	3,926	3,166
Rhode Island	31,671	13,336	13,036	0	300	10,280	10,101	0	179
South Carolina	136,010	43,271	35,726	4,336	3,209	29,689	25,709	2,489	1,491

MEMBERSHIP AND BENEFIT OPERATIONS, FICAL YEAR 1989-90—Continued

State	Membership, last month of the fiscal year	*Benefit Operations, last month of fiscal year*							
		Beneficiaries receiving periodic benefit payments				*Periodic benefit payment for the month (in thousands of dollars)*			
		Total (a)	*Persons retired on account of age or length of service*	*Persons retired on account of disability*	*Survivors of deceased former members (no. of payees)*	*Total* (a)	*Persons retired on account of age or length of service*	*Persons retired on account of disability*	*To survivors of deceased former members*
South Dakota	32,786	10,400	8,887	210	1,303	3,626	3,304	78	245
Tennessee	195,799	52,697	47,333	2,314	3,050	22,985	21,224	650	1,112
Texas	289,885	159,466	154,262	2,175	3.029	115,110	113,215	945	951
Utah	91,191	19,113	18,463	650	0	12,103	11,729	373	0
Vermont	22,423	5,377	4,653	267	457	2,627	2,321	117	189
Virginia	248,012	69,034	69,034	0	0	32,509	32,509	0	0
Washington	207,507	72,320	72,320	0	0	53,766	53,766	0	0
West Virginia	100,814	36,275	30,463	1,833	3,979	18,268	16,016	903	1,350
Wisconsin	270,249	73,232	67,383	4,201	1,648	29,675	25,676	3,596	403
Wyoming	48,986	9,402	9,402	0	0	4,548	4,548	0	0

Source: U.S. Department of Commerce, Bureau of the Census, *Finances of Employee-Retirement Systems of State and Local Governments* (1989-90 preliminary).

(a) Detail may not add to totals due to rounding.

Table 7.34
COMPARATIVE STATISTICS FOR STATE-ADMINISTERED PUBLIC EMPLOYEE RETIREMENT SYSTEMS: FISCAL 1988-89

	Percent of receipts paid by			*Annual benefit payments as a percentage of*				*Percentage distribution of cash and security holdings*			
									Governmental securities		
State	*Employee contribution*	*State government*	*Local government*	*Annual receipts*	*Cash and security holdings*	*Average benefit payments* (a)	*Investment earnings as a percentage of cash and security holdings*	*Cash and deposits*	*Federal*	*State and local*	*Nongovernmental securities*
United States	13.3	16.2	13.8	31.2	5.0	624	9.1	7.9	25.3	0.0	61.8
Alabama	15.3	20.3	3.6	26.6	4.3	650	9.8	10.0	9.6	0.0	80.3
Alaska	15.5	9.8	11.4	28.5	4.3	1,205	9.6	0.9	42.1	0.0	57.0
Arizona	18.9	4.8	14.1	24.5	2.9	630	7.3	24.5	33.2	0.0	42.3
Arkansas	6.6	23.1	3.4	28.1	3.9	507	9.4	8.5	38.4	0.8	51.3
California	15.1	11.6	12.2	28.4	4.5	795	9.6	7.3	20.4	0.0	68.2
Colorado	19.2	8.1	16.1	32.1	4.4	846	7.7	0.8	15.6	0.3	76.6
Connecticut	8.8	43.5	1.3	25.8	6.1	894	11.0	6.8	9.2	0.0	82.3
Delaware	7.0	35.0	0.3	29.5	4.4	503	8.5	32.7	8.1	0.0	43.2
Florida	0.5	14.0	42.1	23.5	4.0	548	7.3	10.4	24.9	0.0	60.4
Georgia	12.9	28.2	7.3	23.5	4.2	707	9.3	5.3	50.6	0.0	43.8
Hawaii	11.0	7.9	2.1	41.4	6.3	775	12.0	0.9	27.4	0.0	69.8
Idaho	20.8	13.7	22.9	32.1	5.6	399	7.4	9.7	33.8	0.0	48.4
Illinois	23.9	17.4	7.0	40.5	6.2	570	7.9	8.2	16.3	0.0	64.2
Indiana	15.4	29.3	11.1	35.4	6.5	449	8.1	17.4	49.5	0.1	32.9
Iowa	13.5	5.2	16.2	24.6	3.7	278	9.8	3.6	0.3	0.0	67.2
Kansas	21.0	14.1	8.3	42.1	5.1	383	6.8	11.6	21.1	1.6	56.2
Kentucky	21.7	24.0	10.0	30.3	5.6	570	8.2	12.4	32.6	0.0	53.1
Louisiana	20.8	29.4	3.9	53.7	10.4	830	8.9	9.3	46.2	0.0	44.2
Maine	15.5	42.1	6.3	40.6	10.4	576	9.2	2.3	0.0	0.0	97.5
Maryland	7.9	36.6	2.8	32.8	5.5	823	8.8	0.1	2.4	0.0	87.5
Massachusetts	28.4	43.6	1.1	44.6	9.1	761	5.5	0.8	0.5	0.0	57.6
Michigan	6.9	20.8	10.8	39.1	6.1	580	9.5	14.9	7.6	0.0	73.8
Minnesota	13.3	4.8	14.8	24.8	4.7	594	12.6	3.2	14.1	0.0	76.4
Mississippi	17.3	23.5	17.1	24.0	4.7	484	8.3	21.5	40.3	0.0	38.2
Missouri	13.7	13.8	14.6	22.2	3.5	544	9.1	13.4	19.4	0.0	65.5
Montana	22.1	7.5	17.6	38.8	7.2	520	9.8	0.3	6.7	0.0	88.4
Nebraska	25.5	7.3	24.2	18.9	2.9	318	6.7	1.6	26.1	0.0	72.3
Nevada	2.8	13.9	38.0	26.5	3.9	840	6.7	19.4	23.1	0.0	38.0
New Hampshire	34.9	11.2	12.7	35.2	4.2	453	4.9	9.6	13.1	0.0	76.7
New Jersey	14.6	22.6	12.2	33.9	6.1	720	9.1	0.1	5.9	0.0	93.9
New Mexico	18.8	13.3	10.6	25.8	5.2	770	11.6	12.7	36.1	0.0	51.1
New York	3.0	5.2	19.5	29.9	4.3	633	10.3	4.0	26.8	0.0	66.5
North Carolina	17.9	21.4	4.2	26.5	4.0	571	8.6	26.0	29.7	0.0	43.3
North Dakota	18.6	7.4	13.4	19.8	3.7	367	11.4	18.1	27.6	0.0	49.6
Ohio	16.4	7.5	21.3	37.2	6.3	655	9.3	7.7	39.3	0.0	45.5
Oklahoma	17.5	34.2	4.8	55.1	10.0	752	7.9	8.7	33.1	0.0	58.2
Oregon	27.7	18.6	34.5	49.1	5.3	521	2.1	5.8	9.9	0.0	63.6
Pennsylvania	12.4	24.4	14.5	38.5	6.6	515	8.4	11.3	27.8	0.0	54.7
Rhode Island	14.0	17.9	9.7	26.3	6.5	771	14.4	20.9	27.3	0.0	51.8
South Carolina	20.3	11.6	13.3	28.4	3.5	611	6.8	6.1	74.2	0.0	19.7

COMPARATIVE STATISTICS: FISCAL 1988-89—Continued

State	Percent of receipts paid by			Annual benefit payments as a percentage of		Average benefit payments (a)	Investment earnings as a percentage of cash and security holdings	Percentage distribution of cash and security holdings			
									Governmental securities		
	Employee contribution	State government	Local government	Annual receipts	Cash and security holdings			Cash and deposits	Federal	State and local	Nongovernmental securities
South Dakota	17.0	5.6	10.1	19.6	3.0	342	10.2	11.0	26.4	0.0	60.3
Tennessee	10.0	34.2	3.2	28.7	3.7	428	6.7	7.2	21.9	0.0	70.8
Texas	19.2	17.3	4.2	25.0	4.1	650	9.8	3.4	44.9	0.0	46.2
Utah	11.2	7.9	26.0	31.6	4.4	398	7.6	12.1	29.7	0.0	47.0
Vermont	1.8	30.8	1.1	22.5	4.6	448	13.5	11.0	11.2	0.0	71.2
Virginia	3.9	10.5	34.9	21.5	3.9	456	9.1	7.5	17.6	0.0	72.2
Washington	18.2	22.2	7.1	36.0	4.9	675	7.1	13.9	18.5	0.0	55.0
West Virginia	34.8	17.5	5.5	82.5	14.1	446	7.2	10.9	50.8	0.0	38.3
Wisconsin	0.4	8.3	20.5	22.5	3.4	374	10.6	0.5	17.0	0.1	81.3
Wyoming	4.6	18.5	21.3	25.2	3.3	448	7.3	0.7	13.5	0.0	85.8

Source: U.S. Department of Commerce, Bureau of the Census, *Finances of Employee-Retirement Systems of State and Local Governments: 1988-89.*

(a) Average benefit payment for the last month of fiscal year.

Table 7.36
ORGANIZATION OF STATE INFORMATION RESOURCE MANAGEMENT IN THE STATES

	Information resource policy agency			*Information resource operating agency*		
State or other jurisdiction	*Separate central policy agency*	*Source of authority*	*Status of central agency*	*Separate central operating agency*	*Source of authority*	*Responsible for telecommunications*
Alabama	★	AC	Department	. . .	AC	★
Alaska	★	S	Cabinet level	★	S	★
Arizona	★	S	Department	. . .	AC	★
Arkansas	★	S	Cabinet level	. . .	S	★
California	★	S,AC,EO	Department	. . .	. . .	. . .
Colorado	★	S	Department	. . .	. . .	N.A.
Connecticut	★	S	Department	★	S	. . .
Delaware	★	S	Department	. . .	S	★
Florida	★	S	Cabinet level	★	S	. . .
Georgia	★	EO	Cabinet level	★	S	. . .
Hawaii	. . .	N.A.	N.A.	★	AC	★
Idaho	★	EO	Department	. . .	. . .	. . .
Illinois	★	S	Department	. . .	S	★
Indiana	★	S	Cabinet level	. . .	. . .	N.A.
Iowa	★	S	Department	. . .	. . .	. . .
Kansas	★	S	Department	. . .	. . .	★
Kentucky	★	S,AC	Independent	★	S	. . .
Louisiana	. . .	N.A.	N.A.	. . .	. . .	N.A.
Maine	★	S	Department	. . .	. . .	★
Maryland	★	S,EO	Cabinet level	. . .	. . .	. . .
Massachusetts	★	EO	Independent	★	(a)	(b)
Michigan	★	S	Department	. . .	. . .	. . .
Minnesota	★	S	Department	. . .	. . .	N.A.
Mississippi	★	S	Independent	. . .	. . .	★
Missouri	★	S	Department	. . .	. . .	★
Montana	★	S	Department	. . .	S	★
Nebraska	★	S	Department	. . .	. . .	N.A.
Nevada	★	S	Cabinet level	. . .	. . .	. . .
New Hampshire	★	S	Department	. . .	. . .	N.A.
New Jersey	★	EO	Department	. . .	EO	★
New Mexico	★	S	Department	★	S	★
New York	. . .	N.A.	N.A.	. . .	. . .	N.A.
North Carolina	★	S	Cabinet level	. . .	S	★
North Dakota	★	S	Department	. . .	S	★
Ohio	★	EO	Department	. . .	. . .	★
Oklahoma	★	S	Department	. . .	S	★
Oregon	★	S,AC	Department	. . .	. . .	. . .
Pennsylvania	★	EO,MD	Department	. . .	. . .	. . .
Rhode Island	. . .	N.A.	N.A.	★	S	. . .
South Carolina	★	S	Department	★	S	★
South Dakota	. . .	N.A.	N.A.	★	S	★
Tennessee	★	EO	Department	. . .	. . .	★
Texas	★	S	Independent	. . .	. . .	★
Utah	★	S	Department	. . .	. . .	★
Vermont	. . .	N.A.	N.A.	. . .	. . .	. . .
Virginia	★	S	Independent	★	S	★
Washington	★	S	Independent	. . .	. . .	★
West Virginia	★	EO	Cabinet level	. . .	S	★
Wisconsin	★	S	Department	★ (c)	S (c)	. . .
Wyoming	★	S	Department	★	S	. . .
Dist. of Columbia	★	S	Department	. . .	. . .	★

Source: National Association of State Information Resource Executives, *State Information Resource Management, Structure and Activities: 1990-91* (1991).

Note: **Information Resource Policy Agency** is responsible for setting policies on information systems, coordinating multi-agency systems; and technology transfer. **Information Resource Operating Agency** is responsible for the actual operation of data centers and delivery of services (day-to-day operations). See Tables 7.37 and 7.38 for more information on these policy and operating agencies. Also see above referenced source for more detailed information.

Key:
★ — Yes
. . . — No/None
S — Statute
AC — Administrative code
EO — Executive order
MD — Management directive
N.A. — Not available/applicable

(a) In secretariat for Office of Administration and Finance.
(b) Mix.
(c) Pending legislation.

Table 7.37
FUNCTIONS OF INFORMATION RESOURCE ORGANIZATIONS: POLICY

State or other jurisdiction	Long range IRM policy/planning	Technical assessments	Data center operations	System development	Hardware procurement/review	Data processing budgeting	Telecommunications	Database management	Training	Information technology architecture	Strategic direction
Alabama	★	★	★	★	★	★	★	★	★	★	★
Alaska	★	★	★	. . .	. . .	★	★	★	. . .	. . .	★
Arizona	★	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .	. . .	★
Arkansas	. . .	★	★	★	★	. . .	★	. . .	. . .	★	. . .
California	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Colorado	★	★	. . .	. . .	. . .	★	. . .	. . .	. . .	. . .	★
Connecticut	★	★	★	★	★	★	★	★	★	★	★
Delaware	★	★	★	★	★	★	★	★	★	★	★
Florida	★	★	★	★	★	★	★	★	★	★	★
Georgia	★	★	★	★	★	★	. . .	★	★	★	★
Hawaii	★	★	★	★	★	★	★	★	★	★	★
Idaho	★	★	. . .	. . .	★	★	. . .	. . .	★	★	★
Illinois	★	★	★	★	★	★	★	★	★	★	★
Indiana	(a)										
Iowa	★	. . .	★	★	★	. . .	★	★	. . .	★	★
Kansas	★	★	. . .	. . .	★	. . .	★	★	. . .	★	★
Kentucky	(b)	. . .	(c)	(c)	(b)	(b)	(b)	(b)	(b)	(b)	(b)
Louisiana	. . .	. . .	. . .	. . .	★	. . .	★	. . .	. . .	. . .	. . .
Maine	★	★	★	★	★	★	★	★	★	★	★
Maryland	★	★	. . .	★	★	★	. . .	★	★	★	★
Massachusetts	★	★	★	★	★	. . .	★	★	★	★	★
Michigan	★	★	★	★	★	★	★	★	★	★	★
Minnesota	(d)	(d)	. . .	. . .	(d)	(d)	. . .	. . .	. . .	(d)	(d)
Mississippi	★	★	★	★	★	★	★	★	★	★	★
Missouri	★	★	. . .	. . .	★	★	★	. . .	. . .	★	★
Montana	★	★	★	★	★	. . .	★	★	. . .	★	★
Nebraska	★	★	★	★	★	★	. . .	★	★	★	★
Nevada	★	★	★	★	★	. . .	. . .	★	★	★	★
New Hampshire	. . .	★	★	★	★	. . .	. . .	★	. . .	★	★
New Jersey	★	★	★	★	★	★	★	★	★	★	★
New Mexico	. . .	(e)	(e)	(e)	(e)	. . .	(e)	(e)	. . .	(e)	(e)
New York	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
North Carolina	★	★	★	★	★	. . .	★	★	★	★	★
North Dakota	★	★	★	★	★	★	★	★	★	★	★
Ohio	★	★	★	★	★	. . .	★	★	★	★	★
Oklahoma	★	★	★	★	★	★	★	★	★	★	★
Oregon	★	★	★	★	★	★	★	★	★	★	★
Pennsylvania	★	. . .	. . .	. . .	. . .	★	★	. . .	. . .	. . .	★
Rhode Island	★	★	★	★	★	★	★	★	★	★	★
South Carolina	★	. . .	. . .	. . .	★	★	. . .	. . .	. . .	★	★
South Dakota	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Tennessee	★	★	★	★	★	★	★	★	★	★	★
Texas	★	★	. . .	. . .	★	★	★	★	. . .	★	★
Utah	★	★	★	★	★	★	★	★	★	★	★
Vermont	. . .	★	. . .	★	★	. . .	. . .	. . .	. . .	. . .	. . .
Virginia	(f)										
Washington	★	★	★	★	★	★	★	★	. . .	★	★
West Virginia	★	★	★	★	★	★	★	★	★	★	★
Wisconsin	★	★	. . .	. . .	★	. . .	★	. . .	. . .	★	★
Wyoming	★	★	★	★	★	★	. . .	★	★	★	★
Dist. of Columbia	★	★	★	★	★	★	★	★	★	★	★

Source: National Association of State Information Resource Executives, *State Information Resource Management, Structure and Activities: 1990-91* (1991).

Note: See above referenced source for more detailed information.

Key:

★ — Responsible for function

. . . — Not applicable

(a) Data Processing Oversight Commission (DPOC).

(b) Kentucky Information Systems Commission (KISC).

(c) Department of Information Systems (DIS).

(d) Information Policy Office (IPO).

(e) Information Systems Council (ISC).

(f) Council on Information Management (CIM).

Table 7.38
FUNCTIONS OF STATE INFORMATION RESOURCE ORGANIZATIONS: OPERATIONS

State or other jurisdiction	Long range IRM policy/planning	Technical assessments	Data center operations	System development	Hardware procurement/review	Data processing budgeting	Telecommunications	Database management	Training	Information technology architecture	Strategic direction
Alabama	...	★	★	★	★	★	★	★	★	★	★
Alaska	★	★	★	★	★	★	★	★	★	★	★
Arizona	★	★	★	★	★	★	★	★	★	★	★
Arkansas	★	...	★	★	...	★	★	★	★	...	★
California	...	...	...	...	...	...	...	...	...	...	...
Colorado	...	...	...	...	...	...	...	...	...	...	...
Connecticut	...	...	★	★	...	...	...	★	★	...	...
Delaware	★	★	★	★	★	★	★	★	★	★	★
Florida	★	...	...	...	...	...	...	...	...	...	★
Georgia	★	★	★	★	★	★	...	★	★	★	★
Hawaii	★	★	★	★	★	★	★	★	★	★	★
Idaho	...	...	...	...	...	...	...	...	...	...	...
Illinois	...	...	★	...	...	...	★	★	★	...	...
Indiana	★	★	★	★	★	★	★	★	★	★	★
Iowa	...	...	★	★	★	★	★	★	...	...	...
Kansas	...	...	★	...	★	★	★	★	...	...	...
Kentucky	(a)	(a)	(a)	(a)	(a)	...	(a)	(a)	(a)	(a)	(a)
Louisiana	...	...	...	...	...	...	★	...	...	...	...
Maine	★	★	★	★	★	★	★	★	★	★	★
Maryland	...	...	...	...	...	...	...	...	...	...	...
Massachusetts	...	★	★	★	...	...	★	★	★	★	★
Michigan	...	...	...	...	...	...	★	...	...	...	...
Minnesota	...	...	(b)	...	...	(b)	(b)	(b)	(b)	...	...
Mississippi	★	★	★	★	★	★	★	★	★	★	★
Missouri	...	...	★	★	...	...	★	★	★	...	...
Montana	...	★	★	★	★	★	★	★	★	★	★
Nebraska	★	★	★	★	★	★	...	★	★	★	★
Nevada	...	★	★	★	★	★	★	★	★	★	★
New Hampshire	...	★	★	★	★	★	...	★	★	★	★
New Jersey	★	★	★	★	★	★	★	★	★	★	★
New Mexico	★	...	★	★	★	★	★	★	★	★	★
New York	...	...	...	...	...	...	...	...	...	...	...
North Carolina	★	★	★	★	★	...	★	★	★	★	★
North Dakota	★	★	★	★	★	★	★	★	★	★	★
Ohio	★	★	★	★	★	...	★	★	★	★	★
Oklahoma	...	...	★	★	...	★	★	★	★	★	...
Oregon	...	...	★	...	...	...	...	...	...	...	...
Pennsylvania	...	...	...	...	...	...	...	...	...	...	...
Rhode Island	...	★	★	★	★	★	★	★	★	★	★
South Carolina	...	★	★	★	...	...	★	★	★	...	...
South Dakota	★	★	★	★	★	★	★	★	★	★	★
Tennessee	★	★	★	★	★	★	★	★	★	★	★
Texas	...	...	★	★	...	...	...	...	★	...	...
Utah	★	★	★	★	★	★	★	★	★	★	★
Vermont	...	★	★	★	★	...	...	★	★	...	...
Virginia	(c)										
Washington	★	★	★	★	★	...	★	...	★	...	...
West Virginia	★	★	★	★	★	★	★	★	★	★	★
Wisconsin	...	★	★	...	...	★	...	★	...	...	...
Wyoming	★	★	★	★	★	★	...	★	★	★	★
Dist. of Columbia	...	...	★	...	★	...	★	...	...	...	...

Source: National Association of State Information Resource Executives, *State Information Resource Management, Structure and Activities: 1990-91* (1991).

Note: See above referenced source for more detailed information.

Key:

★ — Responsible for function

. . . — Not applicable

(a) Department of Information Systems (DIS).

(b) interTechnology Group (ITG).

(c) Department of Information Technology (DIT).

CHAPTER EIGHT

SELECTED STATE ACTIVITIES, ISSUES AND SERVICES

INNOVATIONS IN STATE GOVERNMENT, 1990-91

By Deborah A. Gona

> *. . . It is one of the happy incidents of the Federal System that a single courageous state may, if its citizens choose, serve as a laboratory and try novel social and economic experiments without risk to the rest of the country.*
>
> — **U.S. Supreme Court Justice Louis D. Brandeis (1932)**

Over the last 60 years, that statement has stood as a solid reminder of the spirit and nature of the states. In 1992, though, many state officials would argue there are fewer "happy incidents" in the federal system, and that a slightly less eloquent, but contemporary version of that earlier message might be " . . . it is one of the *necessities* of the federal system that states *must* serve as laboratories, try *new approaches* to old problems and *share their experiences* with the rest of the country."

In the decade of the 1980s, while analysts were assessing the nature and impact of the New Federalism prescribed by the Reagan administration in 1981, the states were facing the immediate hard realities of shifting responsibilities and depleted federal funding sources. The results of their efforts were not what many had predicted. Instead of less being done by the states, the reverse became true. The states were propelled into self-sufficiency, experimentation and innovation. The "laboratories of democracy" demonstrated creativity, resilience and a practical approach to governing.

It appears, however, that good fortune may have been playing as much of a role in the states' survival during the lean years of federal support as their pride and natural resilience. During the 1980s, many state and local governments found themselves with healthier than anticipated economies, and fuller than usual tax coffers. By the end of the decade, the fiscal trend had turned in another direction. The boom was over and fallout from the explosion drifted from region to region.

In the early 1990s, the states are facing a predicament. They have successfully experimented with innovative social programs, but are finding it difficult to count on the steady and predictable revenues necessary to sustain them long-term. And yet, now more than ever before, they are looking to each other to identify innovative solutions and effective methods of service delivery and operations. In the past, innovation might have been something that was attempted or adopted when a state had the luxury of resources. Today, innovation is linked to necessity — the necessity of identifying solid new approaches to problem solving that can be adapted to suit the specific needs of the individual jurisdiction — without the luxuries of time or money and without undue risk.

Innovations Transfer

One of the ways states identify those approaches is through the information collection efforts and networks of various national and regional organizations — some of which operate clearinghouses and awards programs designed to catalogue and recognize innovative programs in particular functional areas at the state or local level. Since 1975, The Council of State Governments (CSG) has operated the Innovations Transfer Program to identify and disseminate information on innovative programs or policies that have been successfully

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implemented by individual states and that could be adapted for use in other states.

As part of this project, CSG staff conduct an annual solicitation of thousands of state officials and agencies to gather information on hundreds of innovative program activities across the states. Following an internal screening process, the initial selections move on to a final round for consideration by regional panels of state officials (see Table A for Selection Criteria). Panelists choose a total of eight programs annually — two from each region of the country — that are subsequently examined in more depth for the CSG *Innovations* publication series, and that are recognized in an awards ceremony held in conjunction with the CSG national annual meeting.

Table A

Innovations Program Selection Criteria

At each stage in the CSG Innovations selection process, these criteria are employed to determine whether the program or policy has the characteristics that make it eligible for further consideration. The program or policy must:

- be a **state-level** program or policy
- represent a **new** and **creative approach** to a **significant problem** affecting the state
- already have been **implemented** and **operational for at least one year**
- be **relatively unknown** across the states
- have been **effective in achieving its stated goals and purposes** to this point
- address an **issue or problem area that is regional or national** in scope and **applicable** to many states
- be easily **transferred**, at least in principle, to other states

The 16 state programs highlighted in this essay were selected by regional panels during 1990 and 1991 (see Table B for Selections). Spanning the efforts of 13 states, they cover the range of state governmental functional areas, from the environment and criminal justice to education and social services.

Protecting the Environment . . . Saving Dollars and Lives

Landfills across America are rapidly reaching their capacity. Experts estimate that by 1995 over half of them will be closed. Anticipating the dilemma, some states have moved to the forefront in identifying alternative ways of dealing with the waste.

Table B

Innovations Panel Selections by Region, 1990 and 1991

1990 Selections

Eastern region:
Delaware's Piping Plover Recovery Program
Rhode Island's Comprehensive Mandatory Statewide Recycling Program

Southern region:
Georgia's State Patrol In-Car Video System
Kentucky's Parent and Child Education Program

Midwestern region:
Iowa's Volunteer Mentor Support Program
Missouri's Legal Expense Fund

Western region:
California's Telecommuting Pilot Project
Oregon's Mission Possible

1991 Selections

Eastern region:
Delaware's Regulation for the Management of Extremely Hazardous Substances
New York State's Law Enforcement Accreditation Program

Southern region:
Georgia's Dry Hydrant Assistance Program
Mississippi's Project '95

Midwestern region:
Michigan's Auto Theft Prevention Authority
Wisconsin's Federal Grant Tracking Program

Western region:
California's Department of Corrections' Victim Services Program
Washington State's Homicide Investigation and Tracking System

Rhode Island implemented the nation's first *Comprehensive Mandatory Statewide Recycling Program*, designed to reduce the overall amount of solid waste disposal in the state. As of November 1991, the mandatory municipal program served over 70 percent of the state's population. Add in the voluntary programs and almost 94 percent of the state's population has access to recycling.

Through teamwork among state agencies, municipalities and businesses, the program provides convenient and cost-effective curbside municipal collection; centralized planning, monitoring and enforcement; extensive public education; and technical assistance.

Across the country, many rural residents live beyond the protection of water mains and domestic fire hydrants. Rural volunteer fire department tankers often are forced to travel miles to central fill-up points. In **Georgia**, the *Dry Hydrant Assistance Program*, operating since January 1989, improves rural fire departments' firefighting capabilities, saves fuel, lowers homeowner insurance premiums, improves rural road maintenance and saves energy by using unprocessed water for firefighting and road maintenance. "Dry hydrants," nonpressurized PVC pipes, are installed in strategically-located ponds, lakes and streams. Rural volunteer fire department tankers travel a shorter distance to fill-up points. And because the pipes remain dry when not in use, they do not freeze in the winter.

To protect its citizens from catastrophic releases of extremely hazardous substances, **Delaware** established its *Regulation Program for the Management of Extremely Hazardous Substances* in September 1989. The program — developed by the state Department of Natural Resources and Environmental Control with assistance from the regulated community, emergency responders, other state agencies and concerned citizens — targets the industrial plants' regulations for using, storing, transferring, processing or producing substances that with accidental release could cause death or permanent injury.

The program breaks new ground by extending regulatory authority beyond toxic air contaminants to include flammable, combustible and explosive materials. It also incorporates an innovative method to determine the quantity of extremely hazardous substances that would result in a catastrophic event at a facility's fence line. The determination is based on off-site exposure to toxics, heat or a blast that would be threatening to human life.

Of course, protecting the environment while saving lives does not always mean human lives. **Delaware's** *Piping Plover Recovery Program*, an ongoing project, also was initiated in 1989 as a coordinated effort between state agencies and private volunteers to rescue a threatened species — the Piping Plover — from extinction in the state.

When the species dropped from 40 birds in the early 1980s to only seven in 1988, a recovery program was formulated. After reviewing previous efforts, state personnel determined that the declining population was due to predation and the presence of dogs, humans and vehicles in the nesting areas. The cooperation of the media, the general public and citizen volunteers in guarding plover nesting areas have given the Piping Plover a realistic opportunity to reestablish a stable population.

Enforcing the Law . . . Collecting Information, Preventing Crimes and Helping Victims

A serious issue facing law enforcement administrators today is municipal liability for the actions of police officers. Juries are awarding damages of unprecedented amounts, and insurance companies are charging increasingly high police liability premiums. With little formal guidance available to suggest how officials should proceed, law enforcement agencies trying to enhance the professionalism of their operations have been frustrated by these developments.

Operating since November 1989, **New York's** *Law Enforcement Accreditation Program* encourages law enforcement agencies throughout the state to implement professional standards on a voluntary basis. Program policy is established by a 17-member accreditation council appointed by the governor. The program identifies essential practices that all professional law enforcement agencies should follow, provides model policies and procedures that can be used to implement program standards, and offers several types of assistance to participating departments.

Collecting evidence was the initial motive for employing video cameras as part of **Georgia's** *State Patrol In-Car Video System*. Video tapes were perceived to be a source of indisputable evidence for courts and could augment court testimony given by state troopers. Before long, however, the state's Department of Public Safety began to realize unexpected benefits. The hours normally spent on court appearances began to dwindle. Troopers assigned cameras received fewer subpoenas and spent noticeably less time in court.

The video system has enhanced training for beginner and veteran troopers, and has given supervisors the opportunity to review techniques employed by troopers under their command. Correcting errors early prevents them from escalating into citizen complaints or costing the life of a trooper.

Since 1989, the *Homicide Investigation and Tracking System* in **Washington** state has served as a central repository for investigative information on murders and sexual assault cases in the state. Previously, there was no accurate, timely, statewide method for law enforcement agencies to obtain such information. Now, the system captures over 400 fields of information for about 2,000 solved and unsolved murder investigations, and thousands of sexual assault cases.

Coordinators evaluate the critical factors necessary to solve murder and sexual assault cases, identify the salient characteristics of these cases, and record information unique to a particular offender, the offender's method of operation, and physical evidence.

Operating since 1986, **Michigan's** *Automobile Theft Prevention Authority*, takes a comprehensive approach to reducing automobile theft in the state and, accordingly, the cost of auto insurance for its citizens. The program provides funding to law enforcement agencies, prosecutors and non-profit organizations that concentrate on auto theft prevention, enforcement, detection and prosecution. It relies on the cooperative spirit of government, the insurance industry, private industry, law enforcement and community groups. In the last five years, while auto thefts have risen 49 percent nationally, they have decreased by 13 percent in Michigan.

California's *Department of Corrections' Victim Services Program* has been instrumental in bringing together crime victims, victim service providers and inmates to discuss the impact of crime on victims. Each institution and parole region in the state has designated a victim services representative to respond to local victim services issues.

A "Helping Crime Victims" brochure, describing victims' rights and how the Corrections Department can assist them, is distributed to victim/witness offices and community victim services organizations. Victims are encouraged to call or write the department for information and assistance in receiving notifications of parole, escape or death of inmates and special parole conditions.

Providing Services and Support . . . from Health Care to Education

The provision of health care in today's litigious society places states in a precarious situation. Addressing their charge to protect the health and welfare of their citizens, states are beginning to develop programs that ameliorate the shortage of health care providers by dealing with the high cost of medical malpractice insurance and fear of lawsuits.

In **Missouri**, a *Legal Expense Fund* provides malpractice coverage to physicians in the state who found that increasing malpractice insurance premiums were making it economically unfeasible for them to provide pregnancy, delivery and child health services to Medicaid-eligible and indigent citizens.

The program requires that individual physicians be under contract with a county health department to provide pregnancy, delivery and child care health services and that they receive minimal or no compensation from a government source for their service delivery. Any claims arising from the physician's services to these patients will be paid from the state's legal expense fund and litigated by the state attorney general.

In **Iowa**, a volunteer mentoring effort began as a state welfare-related program to fill a need in the continuum of services for training and employment. The mentor program assists many individuals in moving toward economic self-sufficiency by providing a "friend at work."

The *Volunteer Mentor Support Program* provides support assistance to new Iowa state employees — especially former AFDC recipients, displaced homemakers and single parents — by using trained volunteers as "mentors" and peer counselors to ensure job retention.

Experienced state employees, on the job for at least one year, are recruited to become volunteer mentors and are trained in areas such as the state employment career tracking system, sensitivity issues and community resources. New state employees who apply to the program are matched with their "mentors" for the duration of their six-month probation period or longer as necessary.

To break the intergenerational cycle of undereducation and poverty, some states have adopted approaches that focus on changing family attitudes and behavioral patterns. **Kentucky's** *Parent and Child Education program (PACE)*, established in 1986, is one such support and education effort that affects the whole family. It targets parents who lack a high school diploma and who have three- and four-year-old children. The program gives parents an opportunity to obtain high school equivalency certificates and, at the same time, to enhance their parenting skills. PACE also is designed to improve the developmental skills of preschool children. Seventy-two percent of former PACE students who took the General Educational Development (GED) examination passed it, and PACE children have shown measurable developmental gains.

Another education opportunity effort, **Mississippi's** *Project '95* is designed to broaden access to higher education in the state and strengthen graduation and admissions standards by 1995 through the collaboration of all levels of public education in the state. Project '95 is guided by Committee '95, a group of 35 educators representing public elementary and secondary schools, community colleges and universities.

Under the direction of Committee '95, a full-time staff is involved in an array of projects including the Mississippi Teacher Corps, collaborative mini-grants, regional financial aid workshops, summer teacher institutes, and admission and graduation standards.

An unusual **Oregon** child welfare project actually was the brainchild of a 16-year-old juvenile offender who himself had been abused. The youth had been sentenced to time in a state school for the attempted murder of his foster parents. After counseling sessions made the youth realize that his abuse-filled childhood had contributed to his destructive behavior, he decided to raise money to help other abused children.

Now, each April, as part of national Child Abuse Prevention Month, Oregon's Children's Services Division, along with state businesses, coordinate a statewide project, *Mission Possible*. This fund-raising event for the Children's Trust Fund provides money for child abuse prevention programs throughout the state. Hundreds of teenagers from the state's juvenile corrections facilities participate by completing physical and community challenges.

Enhancing State Government . . . Bringing in Dollars and Saving on Operational Costs

Wisconsin's *Federal Grant Tracking System* encourages state agencies and departments to file for federal grants and bolster the amount of federal dollars returned to the state. It provides grant-potential information from the *Federal Register* and other sources to departments daily, and then tracks applications from their inception to final disposition.

Operational since January 1990, the program initiates grant-application activity, makes departments more responsible in seeking federal dollars, tracks applications from the state to Washington DC, and if warranted, triggers lobbying activity with a federal agency.

Apart from developing more efficient ways of identifying new resources, states are trying to reduce the overall costs of operation. Telecommuting is one of those new approaches that also addresses concerns about the environment, transportation, employee turnover and employment opportunities for the handicapped.

California implemented the first statewide *Telecommuting Pilot Project*, involving 14 state agencies and 230 telecommuters, most of whom were mid-level professionals, such as administrative law judges, lawyers, accountants, policy analysts, appraisers and researchers. The project covered two forms of telecommuting — working from home and working at a satellite office relatively close to home.

There were a variety of benefits to the state — in the form of office and parking cost reductions and increased energy conservation; to management — in the form of reduced employee turnover and sick leave and increased productivity; and to the employee — in the form of increased feelings of control, more positive feelings about themselves and their work, and commuting cost reductions.

For additional information on the selected programs described here or the operation of the Innovations Transfer Program, contact Innovations, State Policy and Innovations Group, The Council of State Governments, P.O. Box 11910, Iron Works Pike, Lexington, Kentucky 40578-1910, (606) 231-1939.

CSG Innovations Reports (1976-1992)

Railroad Rehabilitation: A Program to Upgrade Selected Branch Lines in Iowa (1976)
Health Cost Containment: The Connecticut, Maryland, and New Jersey Responses (1976)
State Energy Management: The California Energy Resources Conservation and Development Commission (1976)
Periodic Reappraisal of Real Property: The Utah Approach (1976)
Investing State Funds: The Wisconsin Investment Board (1976)
Retirement System Consolidation: The South Dakota Experience (1976)
Centralizing State Information Services: Kentucky's Approach (1976)
Random Moment Sampling: Georgia's Indirect Cost Allocation Experiment (1977)
A State Supported Local Corrections System: The Minnesota Experience (1977)
The Bond Bank Innovation: Maine's Experience (1977)
Managing Natural Resource Data: Minnesota's Land Management Information System (1977)
The Management Audit: A New Experiment in State Regulation of Utilities (1977)
Developing Primary Health Care for Rural Areas in North Carolina (1977)
Merging Producer and Consumer Interests: Domestic Agricultural Marketing in New York and Pennsylvania (1977)
Systematic Use of Volunteers: A Florida Case Study (1977)
Health Cost Containment Revisited (1977)
Incentives and Performance: Minnesota's Management Plan (1978)
Untangling the Permit Web: Washington's Environmental Coordination Procedures Act (1978)
Health Manpower Licensing: California's Demonstration Projects (1978)
Assessing Management Potential in State Government — Michigan and Illinois (1978)
Georgia's Residential Restitution Centers (1978)
Restoring Municipal Credit, The New Jersey Qualified Bond Program (1978)
Bail Bond Reform in Kentucky and Oregon (1978)
Permanent Part-Time Employment: A Staffing Option for State Government (1978)
Determinate Sentencing in California (1978)
Michigan's Budget and Economic Stabilization Fund (1979)
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Creating Jobs: Connecticut's Product Development Corporation (1979)
Financing Family Farms in Minnesota (1979)
Rhode Island's Energy Conservation Corporation (1979)
Vermont's New Signs of the Times (1979)
Performance Based Teacher Certification in Georgia (1979)
Financing Home Improvements in Minnesota (1979)
FLEXTIME: Kentucky Takes a Second Look (1979)
Texas Assumes the Social Security Obligation (1979)
State Telecommunications Activities (1980)
Maryland's Program for Buying Recycled Paper (1980)
Simplifying Federal Grant-in-Aid in Arizona and Kentucky (1980)
California Housing for the Disabled (1980)
Waste Oil: North Carolina's Recovered Resource (1980)
Rural Health Services: A Sample of State Efforts (1980)
Cogeneration in California (SGN, 1980)
Oregon WORTH Program (SGN, 1980)
Virginia Nursing Home Pre-Admission Screening Program (SGN, 1980)
California's Shared Work Unemployment Compensation Program (SGN, 1980)
Missouri Neighborhood Assistance Program (SGN, 1980)
Massachusetts Government Land Bank (SGN, 1980)
South Carolina Occupational Information System (SGN, 1980)
Arkansas' Fire Protection Program (SGN, 1981)
Florida Offender Job Bank Program (SGN, 1981)
Intrastate Motor Carrier Deregulation: The Florida Experience (1982)
Inmate Drug Abuse Treatment: Missouri's Three by Three Home [Drug Treatment] Program (1982)
Private Contractor Work Release Centers: The Illinois Experience (1982)
Computer Reporting Network for Welfare Administration: The Wisconsin Experience (1982)

Table 7.35
COMPARATIVE STATISTICS FOR STATE-ADMINISTERED PUBLIC EMPLOYEE RETIREMENT SYSTEMS: FISCAL 1989-90

	Percent of receipts paid by			*Annual benefit payments as a percentage of*				*Percentage distribution of cash and security holdings*			
									Governmental securities		
State	*Employee contribution*	*State government*	*Local government*	*Annual receipts*	*Cash and security holdings*	*Average benefit payments* (a)	*Investment earnings as a percentage of cash and security holdings*	*Cash and deposits*	*Federal*	*State and local*	*Nongovernmental securities*
United States	13.1	15.7	12.9	30.9	4.8	677	9.0	6.8	24.3	0.0	61.6
Alabama	14.2	20.4	3.7	27.2	4.3	731	9.7	7.0	2.4	0.0	90.2
Alaska	17.5	11.4	12.2	31.4	4.5	1,257	8.4	3.2	36.3	0.0	54.7
Arizona	7.9	1.8	6.0	28.5	3.4	730	10.1	17.0	34.1	0.0	48.8
Arkansas	7.5	26.0	2.4	32.9	4.0	539	7.7	17.8	30.7	0.7	50.7
California	14.0	10.1	10.6	25.5	4.3	826	11.1	6.1	19.9	0.0	66.7
Colorado	14.5	8.8	16.8	25.4	3.9	926	9.2	4.9	8.1	0.2	80.6
Connecticut	10.4	48.9	1.4	35.0	6.8	990	7.6	5.6	9.4	0.2	82.7
Delaware	7.7	32.5	0.4	32.0	4.4	522	8.1	16.1	5.2	0.0	65.2
Florida	0.5	13.8	41.4	22.6	4.0	579	7.8	9.5	24.3	0.0	62.1
Georgia	11.9	26.0	6.8	23.1	4.1	807	9.8	5.0	50.1	0.0	44.5
Hawaii	14.7	2.4	0.8	48.1	3.8	832	6.4	3.8	15.3	0.0	79.2
Idaho	20.7	12.3	23.4	32.0	5.5	418	7.4	6.6	36.7	0.0	49.0
Illinois	20.8	15.7	7.7	36.0	6.1	572	9.4	4.6	16.1	0.0	66.9
Indiana	14.1	29.9	10.7	34.2	6.3	495	8.3	7.3	52.3	0.0	40.4
Iowa	14.4	5.5	17.3	25.6	3.6	294	8.9	3.5	0.2	0.0	75.6
Kansas	18.2	11.2	5.1	29.6	4.8	337	10.7	6.9	15.0	0.0	65.8
Kentucky	17.8	21.1	6.4	30.1	5.5	663	10.1	15.3	25.0	0.0	57.4
Louisiana	20.4	32.5	3.5	47.2	9.3	805	8.6	11.8	39.0	0.0	49.0
Maine	15.5	42.1	6.3	40.6	10.4	576	9.2	2.3	0.0	0.0	97.5
Maryland	6.2	31.3	1.0	29.8	5.2	943	10.7	0.0	0.0	0.0	2.0
Massachusetts	25.9	39.1	1.0	39.7	8.4	727	7.2	0.7	0.7	0.0	55.1
Michigan	6.7	19.1	10.5	40.2	6.4	744	10.1	14.8	0.1	0.0	76.5
Minnesota	13.8	5.3	15.0	26.5	4.2	637	10.4	1.7	13.1	0.0	66.5
Mississippi	21.5	11.4	17.9	28.8	4.9	583	8.4	12.5	44.8	0.0	42.7
Missouri	12.6	13.1	13.8	22.3	3.3	596	9.0	9.7	20.0	0.1	68.6
Montana	23.4	7.7	18.2	40.6	7.0	544	8.8	0.3	5.4	0.0	87.3
Nebraska	25.5	6.4	24.9	17.1	2.7	356	6.9	6.1	28.2	0.0	65.6
Nevada	1.9	11.2	39.3	24.0	3.9	907	7.6	4.4	35.7	0.0	39.3
New Hampshire	32.8	17.5	8.5	21.4	2.7	528	5.2	9.2	12.0	0.0	78.0
New Jersey	14.0	26.8	10.6	32.9	5.7	733	8.4	0.1	6.0	0.0	93.8
New Mexico	19.2	12.8	10.9	26.4	4.9	787	10.7	10.8	36.4	0.0	52.6
New York	3.9	4.4	15.6	35.0	4.1	709	9.0	2.9	29.0	0.0	65.1
North Carolina	17.2	20.2	3.9	25.8	4.0	613	9.1	27.0	29.2	0.0	42.5
North Dakota	24.6	8.2	16.7	28.0	3.5	394	6.4	3.7	14.0	0.0	80.4
Ohio	17.6	7.9	22.7	37.9	5.6	755	7.6	13.1	38.8	0.0	39.4
Oklahoma	17.4	17.3	19.7	50.9	9.1	814	8.2	9.2	33.1	0.0	55.0
Oregon	24.6	18.7	37.6	54.7	5.5	564	1.9	5.0	10.4	0.0	62.7
Pennsylvania	11.4	22.6	13.2	34.9	5.9	565	8.9	4.9	25.3	0.0	65.0
Rhode Island	14.0	17.9	9.7	26.3	6.5	771	14.4	20.9	27.3	0.0	51.8
South Carolina	19.1	11.2	15.1	28.4	3.6	686	6.9	4.7	74.1	0.0	21.1

COMPARATIVE STATISTICS: FISCAL 1989-90—Continued

State	*Percent of receipts paid by*			*Annual benefit payments as a percentage of*		*Average benefit payments* (a)	*Investment earnings as a percentage of cash and security holdings*	*Percentage distribution of cash and security holdings*			
									Governmental securities		
	Employee contribution	*State government*	*Local government*	*Annual receipts*	*Cash and security holdings*			*Cash and deposits*	*Federal*	*State and local*	*Nongovernmental securities*
South Dakota	16.8	6.4	10.4	22.1	3.3	349	10.0	14.3	27.2	0.0	56.0
Tennessee	7.7	26.2	2.6	22.4	3.5	436	10.0	6.0	30.0	0.0	64.0
Texas	20.3	19.5	4.4	28.0	4.3	722	8.7	2.0	38.6	0.0	58.9
Utah	8.3	6.4	21.2	26.3	3.8	633	9.4	11.5	22.9	0.0	54.7
Vermont	2.6	37.7	1.4	28.9	4.6	489	9.2	8.6	14.2	0.0	70.6
Virginia	4.0	10.8	32.6	22.9	3.8	471	8.7	7.0	16.2	0.0	73.0
Washington	16.9	20.0	6.7	33.6	4.8	743	8.0	7.2	21.7	0.0	58.5
West Virginia	34.3	17.1	5.5	96.0	15.8	504	7.1	11.2	53.0	0.0	35.8
Wisconsin	0.6	9.2	22.9	27.2	3.1	405	7.6	0.5	16.9	0.1	81.4
Wyoming	4.8	19.1	20.9	29.6	2.9	484	5.4	0.6	16.0	0.0	83.3

Source: U.S. Department of Commerce, Bureau of the Census, *Finances of Employee-Retirement Systems of State and Local Governments* (1989-90 preliminary).

(a) Average benefit payment for the last month of fiscal year.

Licensing Professional Peace Officers: Minnesota's Peace Officer Standards and Training Board (1982)
California's Employment Preparation Program: A Welfare Program Politicians Can Like (1982)
Resource Recovery in Maryland (1982)
California Homeownership Assistance Program (1982)
The Pennsylvania Oil Franchise Tax (1983)
Prescription Drug Abuse Control: The Wisconsin Approach (1983)
Inmate Tutorial Programs: The Florida Experience (1983)
Mississippi's Variable Compensation Plan for State Government Employees (1983)
Pennsylvania's Surplus Real Estate Disposition Program (1983)
Iowa Assists Inventors to Create Jobs [Iowa Program for Innovation] (SGN, 1983)
Louisiana Speeds Legislative Process Via Computer (SGN, 1983)
Offender Risk Assessment: The Iowa Model (1983)
Ohio's Litter Control Program (1983)
Prison Overcrowding Emergency Powers Act: The Michigan Experience (1984)
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Mississippi's Forests: A Plan for Economic and Social Development (1984)
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Fostering Capitalism: The Massachusetts Venture Capital Fund (1984)
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Cash Management in Kentucky and Florida (1984)
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Child Support Enforcement: The Maryland and Washington Intercept Programs (1984)
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Groundwater Protection: Local Initiatives in Minnesota (1984)
Legislative Actions in Forest Policy and Planning: Four States' Experiences (1985)
Welfare Employment Programs: The Utah Experience (1985)
State-Based Farm Credit: The Illinois Farm Development Authority (1985)
The Georgia Scholar Program (1985)
The Private Sector in State Correctional Industries: The Control Data Program in Minnesota (1985)
The Institute for Ventures in New Technology: The Texas Experience (1985)
On-Site Child Care: New York State's Experience (1985)
Child Abuse Prevention: The Arizona Programs (1985)
The North Dakota Farm Credit Counseling Program (1986)
Iowa's Law Enforcement Intelligence Network (1986)
State Government Employee Travel: New Jersey's Travel Services Program (1986)
House Arrest: Florida's Community Control Program (1986)
Strategic Planning for Economic Development: The Wisconsin Experience (1986)
Energy Performance Contracting: The New York and Massachusetts Experiences (1986)
Health Maintenance Organizations: Pennsylvania's Promotional and Regulatory Efforts (1986)
Infant Mortality Reduction: The Arkansas and Louisiana Experiences (1986)
Prepaid Health Care for Welfare Recipients: The Oregon Experience (1986)
Serving the Mentally Ill Offender: Hawaii's Approach and Other State Efforts (1986)
Ohio's Technology Information Exchange — Innovation Network (TIE-IN) (1987)
Fair Treatment for Victims of Crime: South Carolina's Victim's Bill of Rights (1987)
Colorado's Satellite-Linked Water Resources Monitoring System (1987)
Pennsylvania's Integrated Legislative Executive Regulatory Review System (1987)
AIDS: Indiana's Health Education and Risk Reduction Program (1987)
Florida Monitors Farmland Losses Via Satellites (1987)
Privatization and Contracting for State Services: A Guide (1988)
Kentucky Statewide Writing Program (1988)
Michigan Youth Corps — More than a Summer Job (1988)
Environment/2000: Connecticut's Long-Range Environmental Plan (1988)
Inmate Literacy Programs: Virginia's "No Read, No Release" Program (1988)
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Sentencing Guidelines: Delaware's Sentencing Accountability Model (1989)

Missouri's Parents as Teachers (1989)

Medicaid Case Management: Kentucky's Patient Access and Care Program (1989)

Arizona's Severance/Adoption Project (1989)

School-Based Adolescent Health Programs: The Oregon Approach (1989)

New Jersey's Toxic Catastrophe Prevention Act (1990)

State Drug Prevention Programs: Virginia's Public/Private Approach to Youth Substance Abuse (1990)

Illinois' Heart-to-Heart Program (1990)

Connecticut's Photolog Laser Videodisc Viewing System (1990)

California's Support Programs for Family Caregivers of the Brain-Impaired (1990)

Indiana's College Placement and Assessment Center (1990)

Connecticut's Donation of Leave Program (1991)

California's Energy Efficiency Revenue Bond (1991)

Surrogate Decision-Making for the Mentally Incapacitated: The New York Approach (1991)

Virginia's Computer Clearinghouse for Wheelchair Accessible Housing (1991)

Kentucky's Parent and Child Education (PACE) Program (1991)

California's Telecommuting Pilot Project (1991)

North Carolina's Seniors' Health Insurance Information Program (1992)

Recycling in Rhode Island: Rhode Island's Mandatory, Comprehensive, Statewide Recycling Program (1992)

SGN = Innovations report appeared in *State Government News*, the monthly news magazine of The Council of State Governments.

Table 8.1
MINIMUM AGE FOR SPECIFIED ACTIVITIES

State or other jurisdiction	*Age of majority* (a)	*Minimum age for marriage with consent* (b)		*Minimum age for making a will*	*Minimum age for buying alcohol*	*Minimum age for serving on a jury*	*Minimum age for leaving school* (c)
		Male	*Female*				
Alabama	19	14 (d)	14 (d)	19	21	19	16
Alaska	18	16 (e)	16 (e)	18	21	18	16
Arizona	18	16 (e)	16 (e)	18	21	18	16
Arkansas	18	17 (f)	16 (f)	18	21	18	18
California	18	(g)	(g)	18 (h)	21	18	16
Colorado	18	16 (e)	16 (e)	18	21	18	16
Connecticut	18	16 (e)	16 (e)	18	21	18	16
Delaware	18	18 (f)	16 (f)	18	21	18	16
Florida	18	16 (d,f)	16 (d,f)	18	21	18	16
Georgia	18	(g)	(g)	18	21	18	16
Hawaii	18	16 (i)	16 (i)	18	21	18	18
Idaho	18	16 (e)	16 (e)	18 (h)	21	18	16
Illinois	18	16	16	18	21	18	16
Indiana	18	17 (f)	17 (f)	18	21	18	16 (j)
Iowa	18	18 (e)	18 (e)	18	21	18	16
Kansas	18	18 (e)	18 (e)	18	21	18	16
Kentucky	18	18 (e,f)	18 (e,f)	18	21	18	16 (j)
Louisiana	18	18 (e)		18 (h)	21	18	17
Maine	18	16 (e)	16 (e)	18	21	18	17
Maryland	18	16 (f,k)	16 (f,k)	18	21	18	16
Massachusetts	18	16 (i)	16	18	21	18	16
Michigan	18	16 (f,i)	16 (f)	18	21	18	16
Minnesota	18	16 (e)	16 (e)	18	21	18	16 (l)
Mississippi	18	(g)	(g)	18	21	21	14
Missouri	18	15 (i), 18 (e)	15 (i), 18 (e)	18	21	21	16
Montana	18	16	16	18	21	18	16 (m)
Nebraska	19	17	17	18	21	19	16
Nevada	18	16 (e)	16 (e)	18	21	18	17
New Hampshire	18	14 (n)	13 (n)	18	21	18	16
New Jersey	18	16 (e,f)		18	21	18	16
New Mexico	18	16 (i)	16 (i)	18	21	18	18
New York	18	14 (n)	14 (n)	18	21	18	16 (o)
North Carolina	18	16 (f,p)	16 (f,p)	18	21	18	16
North Dakota	18	16	16	18	21	18	16
Ohio	18	18 (e,f)	16 (e,f)	18	21	18	18
Oklahoma	18	16 (f)	16 (f)	18	21	18	18
Oregon	18	17	17	18	21	18	18
Pennsylvania	21	16 (i)	16 (i)	18	21	18	17
Rhode Island	18	18 (i)	16 (i)	18	21	18	16
South Carolina	18	16 (f)	14 (f)	18	21	18	17
South Dakota	18	16 (f)	16 (f)	18	21	18	16 (m)
Tennessee	18	16 (i)	16 (i)	18	21	18	17
Texas	18	14 (n)	14 (n)	18 (h)	21	18	17
Utah	18	14	14	18	21	18	18
Vermont	18	16 (e)	16 (e)	18	21	18	16
Virginia	18	16 (d,f)	16 (d,f)	18	21	18	18
Washington	18	17 (i)	17 (i)	18	21	18	18
West Virginia	18	18 (f)	18 (f)	18	21	18	16
Wisconsin	18	16	16	18	21	18	18
Wyoming	19	16 (i)	16 (i)	19	21	18	16
Dist. of Columbia	18	16 (d)	16 (d)	18	21	18	17

Sources: Distilled Spirits Council of the United States, Inc.; Education Commission of the States; National Center for State Courts.

(a) Generally, the age at which an individual has legal control over own actions and business (e.g., ability to contract) except as otherwise provided by statute. In many states, age of majority is arrived at upon marriage if minimum legal marrying age is lower than prescribed age of majority.

(b) With parental consent. Minimum age for marrying without consent is 18 years in all states, except Georgia (16 years) and Mississippi (17 years for males, 15 years for females; notice to parents necessary if under 21).

(c) Without graduating.

(d) Parental consent not required if minor was previously married.

(e) Younger persons may marry with parental consent and/or permission of judge. In Connecticut, judicial consent.

(f) Younger persons may obtain license in case of pregnancy or birth of child.

(g) No age limits.

(h) Age may be lower for a minor who is living apart from parents or legal guardians and managing own financial affairs, or who has contracted a lawful marriage.

(i) Younger persons may obtain license in special circumstances.

(j) In Indiana, effective with the 1992-93 school year, students between 16 and 18 must submit to an exit interview and have written parental approval before leaving school. In Kentucky, must have parental signature for leaving school between 16 and 18.

(k) If under 16, proof of age and the consent of parents in person is required. If a parent is ill, an affidavit by the incapacitated parent and a physician's affidavit to that effect required.

(l) Age 18, year 2000.

(m) Or completion of eighth grade, whichever is earlier.

(n) Parental consent and/or permission of judge required. In Texas, below age of consent, need parental consent and permission of judge.

(o) Age 17 in New York City and Buffalo.

(p) Unless parties are 18 or over, female is pregnant, or applicants are the parents of a living child born out of wedlock.

Table 8.2
MEMBERSHIP AND ATTENDANCE IN PUBLIC ELEMENTARY AND SECONDARY SCHOOLS, BY STATE: 1989-90 AND 1990-91

	1989-90 (rev. est.)			*1990-91 (est.)*		
State or other jurisdiction	*Estimated average daily membership (ADM)*	*Estimated average daily attendance (ADA)*	*ADA as a percent of ADM*	*Estimated average daily membership (ADM)*	*Estimated average daily attendance (ADA)*	*ADA as a percent of ADM*
United States	. . .	37,442,063	ND	. . .	38,099,634	ND
Alabama	720,934	683,833	94.9	718,859	681,865	94.9
Alaska	105,662	95,899	90.8	100,924	95,706	94.8
Arizona	617,519	582,172	94.3	640,660	603,558	94.2
Arkansas	427,889	409,822	95.8	429,586	409,535	95.3
California	. . .	4,741,351 (a)	ND	. . .	4,978,018 (a)	ND
Colorado	. . .	518,816	ND	. . .	520,859	ND
Connecticut	466,195	438,600	94.1	474,905	445,500	93.8
Delaware	96,358	89,838	93.2	98,650	92,500	93.8
Florida	1,785,223	1,640,977	91.9	1,834,198	1,778,494	97.0
Georgia	1,123,527	1,050,160	93.5	1,147,308	1,057,025	92.1
Hawaii	169,032	157,360	93.1	170,893	159,093	93.1
Idaho	. . .	203,987	ND	. . .	209,798	ND
Illinois	1,709,939	1,587,734	92.9	1,692,041	1,572,455	92.9
Indiana	914,750	868,431	94.9	903,882	855,945	94.7
Iowa	471,145	449,438	95.4	476,689	454,726	95.4
Kansas	403,245	381,148	94.5	405,539	383,316	94.5
Kentucky	600,226	569,795	94.9	599,658	569,200	94.9
Louisiana	755,289	711,600	94.2	762,056	715,168	93.8
Maine	207,034	195,089	94.1	205,996	198,758	96.5
Maryland	696,993	643,479	92.3	711,576	661,765	93.0
Massachusetts	822,376	763,231	92.8	830,923	771,163	92.8
Michigan	. . .	1,447,715	ND	. . .	1,455,735	ND
Minnesota	733,010	694,893	94.8	747,862	708,973	94.8
Mississippi	499,660	476,048	95.3	497,614	474,109	95.3
Missouri	. . .	725,525	ND	. . .	730,296	ND
Montana	149,539	142,211	95.1	149,271	141,628	94.9
Nebraska	266,404	254,401	95.5	266,983	254,811	95.4
Nevada	177,886	163,580	92.0	186,244	170,266	91.4
New Hampshire	166,640	157,745	94.7	167,796	158,903	94.7
New Jersey	1,067,397	992,679	93.0	1,073,900	1,006,781	93.7
New Mexico	278,790	250,911	90.0	283,104	254,794	90.0
New York	2,482,500	2,261,000	91.1	2,478,300	2,258,000	91.1
North Carolina	1,065,399	1,004,901	94.3	1,070,850	1,010,040	94.3
North Dakota	116,743	113,081	96.9	116,730	113,000	96.8
Ohio	1,681,711	1,511,325	89.9	1,682,664	1,572,216	93.4
Oklahoma	573,200	543,300	94.8	572,000	542,000	94.8
Oregon	467,300	436,300	93.4	479,900	448,200	93.4
Pennsylvania	1,629,000	1,503,000	92.3	1,630,000	1,504,000	92.3
Rhode Island	135,738	125,934	92.8	133,857	124,440	93.0
South Carolina	593,328	569,025	95.9	600,862	582,351	96.9
South Dakota	125,303	119,823	95.6	125,832	120,205	95.5
Tennessee	812,020	761,766	93.8	816,918	766,337	93.8
Texas	. . .	3,073,947	ND	. . .	3,107,760	ND
Utah	432,168	408,917	94.6	439,895	416,229	94.6
Vermont	92,282	87,929	95.3	92,588	88,266	95.3
Virginia	976,992	919,731	94.1	990,176	932,143	94.1
Washington	807,655	756,773	93.7	836,785	784,067	93.7
West Virginia	. . .	301,948	ND	. . .	297,309	ND
Wisconsin	740,308	692,150	93.5	748,667	699,480	93.4
Wyoming	96,263	91,277	94.8	97,200	92,300	95.0
Dist. of Columbia	79,430	71,468	90.0	78,300	70,548	90.1

Source: Adapted from National Education Association, *Estimates of School Statistics 1990-91* (Copyright 1991. All rights reserved.).

Note: Average Daily Membership (ADM) for the school year is an average obtained by dividing the aggregate days of membership by the number of days in which school is in session. Pupils are "members" of a school from the date they are placed on the current roll until they leave permanently. Membership is the total number of pupils belonging — the sum of those present and those absent. Average Daily Attendance (ADA) for the school year is the aggregate days pupils were actually present in school divided by the number of days school was actually in session.

Key:

. . . — Not available
ND — Not defined

(a) Count includes excused absences.

Table 8.3
ENROLLMENT, AVERAGE DAILY ATTENDANCE AND CLASSROOM TEACHERS IN PUBLIC ELEMENTARY AND SECONDARY SCHOOLS, BY STATE: 1990-91

State or other jurisdiction	*Total enrollment* (a)	*Estimated average daily attendance* (a)	*Classroom teachers* (a)	*Pupils per teacher based on enrollment*	*Pupils per teacher based on average daily attendance*
United States	41,047,643	38,099,634	2,408,836	17.0	15.8
Alabama	726,158	681,865	40,010	18.2	17.0
Alaska	112,161	95,706	6,586	17.0	14.5
Arizona	636,500	603,558	35,278	18.0	17.1
Arkansas	436,460	409,535	25,593	17.0	16.0
California	4,950,474	4,978,018 (b)	214,900	23.0	23.2 (b)
Colorado	569,792	520,859	32,461	17.6	16.0
Connecticut	472,970	445,500	35,164	13.4	12.7
Delaware	99,658	92,500	5,951	16.7	15.5
Florida	1,861,592	1,778,494	108,088	17.2	16.4
Georgia	1,151,687	1,057,025	68,859	16.7	15.4
Hawaii	171,056	159,093	9,760	15.5	16.3
Idaho	220,840	209,798	11,254	19.6	18.6
Illinois	1,784,853	1,572,455	104,543	17.1	15.0
Indiana	949,133	855,945	55,396	17.1	15.4
Iowa	483,652	454,726	31,119	15.5	14.6
Kansas	436,250	383,316	29,086	15.0	13.2
Kentucky	630,091	569,200	36,651	17.2	15.5
Louisiana	779,161	715,168	43,610	17.9	16.4
Maine	210,200	198,758	14,523	14.5	13.7
Maryland	715,152	661,765	42,143	17.0	15.7
Massachusetts	834,159	771,163	59,040	14.1	13.1
Michigan	1,582,321	1,455,735	80,908	19.6	18.0
Minnesota	751,913	708,973	43,771	17.2	16.2
Mississippi	500,122	474,109	27,714	18.0	17.1
Missouri	810,450	730,296	51,330	15.8	14.2
Montana	151,669	141,628	9,539	15.9	14.8
Nebraska	273,002	254,811	18,550	14.7	13.7
Nevada	201,310	170,266	10,384	19.4	16.4
New Hampshire	172,807	158,903	10,665	16.2	14.9
New Jersey	1,082,561	1,006,781	81,934	13.2	12.3
New Mexico	283,104	254,794	16,233	17.4	15.7
New York	2,563,000	2,258,000	188,900	13.6	12.0
North Carolina	1,082,558	1,010,040	64,335	16.8	15.7
North Dakota	117,134	113,000	7,528	15.6	15.0
Ohio	1,765,500	1,572,216	103,348	17.2	15.4
Oklahoma	577,000	542,000	36,600	15.8	14.8
Oregon	484,700	448,200	25,758	18.8	17.4
Pennsylvania	1,667,630	1,504,000	104,800	15.9	14.4
Rhode Island	137,946	124,440	9,437	14.6	13.2
South Carolina	622,618	582,351	35,600	17.5	16.4
South Dakota	128,635	120,205	8,331	15.4	14.4
Tennessee	833,590	766,337	43,640	19.1	17.6
Texas	3,353,270	3,107,760	206,399	16.2	15.1
Utah	444,732	416,229	18,474	24.1	22.5
Vermont	96,230	88,266	7,128	13.5	12.4
Virginia	998,463	932,143	63,879	15.6	14.6
Washington	840,554	784,067	41,816	20.1	18.8
West Virginia	323,021	297,309	21,476	15.0	13.8
Wisconsin	790,900	699,480	47,664	16.6	14.7
Wyoming	98,210	92,300	6,554	15.0	14.1
Dist. of Columbia	80,694	70,548	7,126	11.3	9.9

Source: Adapted from National Education Association, *Estimates of School Statistics 1990-91* (Copyright 1991. All rights reserved).

(a) Estimated.

(b) State's average daily attendance count includes unexcused absences.

Table 8.4
AVERAGE ANNUAL SALARY OF INSTRUCTIONAL STAFF IN PUBLIC ELEMENTARY AND SECONDARY SCHOOLS: 1939-40 to 1990-91

State or other jurisdiction	Average annual salary for: (in unadjusted dollars)					
	1939-40	*1949-50*	*1959-60*	*1969-70*	*1979-80* (a)	*1990-91* (b)
Alabama	$ 744	$2,111	$4,002	$ 6,954	$13,338	$28,800
Alaska	. . .	. . .	6,859	10,993	27,697	44,454
Arizona	1,544	3,556	5,590	8,975	16,180	35,159
Arkansas	584	1,801	3,295	6,445	12,704	23,345
California	2,351	. . .	6,600	9,980	18,626	40,964
Colorado	1,393	2,821	4,997	7,900	16,840	33,067
Connecticut	1,861	3,558	6,008	9,400	16,989	45,356
Delaware	1,684	3,273	5,800	9,300	16,845	36,500
Florida	1,012	2,958	5,080	8,600	14,875	31,940
Georgia	770	1,963	3,904	7,372	14,547	33,522
Hawaii	. . .	. . .	5,390	9,829	20,436	33,548
Idaho	1,057	2,481	4,216	7,257	14,110	26,591
Illinois	1,700	3,458	5,814	9,950	18,271	35,913
Indiana	1,433	3,401	5,542	9,574	16,256	32,270
Iowa	1,017	2,420	4,030	8,200	15,776	28,883
Kansas	1,014	2,628	4,450	7,811	14,513	31,390
Kentucky	826	1,936	3,327	7,624	15,350	30,395
Louisiana	1,006	2,983	4,978	7,220	14,020	27,040
Maine	894	2,115	3,694	8,059	13,743	29,701
Maryland	1,642	3,594	5,557	9,885	18,308	39,827
Massachusetts	2,037	3,338	5,545	9,175	18,900	41,770
Michigan	1,576	3,420	5,654	10,125	20,682	38,554
Minnesota	1,276	3,013	5,275	9,957	16,654	34,464
Mississippi	559	1,416	3,314	6,012	12,274	25,256
Missouri	1,159	2,581	4,536	8,091	14,543	29,750
Montana	1,184	2,962	4,425	8,100	15,080	30,321
Nebraska	829	2,292	3,876	7,855	14,236	28,093
Nevada	1,557	3,209	5,693	9,589	17,290	33,709
New Hampshire	1,258	2,712	4,455	8,018	13,508	30,926
New Jersey	2,093	3,511	5,871	9,500	18,851	40,785
New Mexico	1,144	3,215	5,382	8,125	15,406	27,494
New York	2,604	3,706	6,537	10,200	20,400	42,700
North Carolina	946	2,688	4,178	7,744	14,445	30,196
North Dakota	745	2,324	3,695	6,900	13,684	24,349
Ohio	1,587	3,088	5,124	8,594	16,100	33,873
Oklahoma	1,014	2,736	4,659	7,139	13,500	25,341
Oregon	1,333	3,323	5,535	9,200	16,996	33,600
Pennsylvania	1,640	3,006	5,308	9,000	17,060	36,259
Rhode Island	1,809	3,294	5,499	8,900	18,425	38,733
South Carolina	743	1,891	3,450	7,000	13,670	29,430
South Dakota	807	2,064	3,725	6,700	13,010	23,181
Tennessee	862	2,302	3,929	7,290	14,193	29,371
Texas	1,079	3,122	4,708	7,503	14,729	29,405
Utah	1,394	3,103	5,096	8,049	17,403	25,415
Vermont	981	2,348	4,466	8,225	13,300	32,260
Virginia	899	2,328	4,312	8,200	14,655	33,151
Washington	1,706	3,487	5,643	9,500	19,735	34,373
West Virginia	1,170	2,425	3,952	7,850	14,395	26,967
Wisconsin	1,379	3,007	4,870	9,150	16,335	33,580
Wyoming	1,169	2,798	4,937	8,532	16,830	30,162
Dist. of Columbia	2,350	3,920	6,280	11,075	23,027	51,278

Sources: U.S. Department of Education, National Center for Education Statistics, *Statistics of State School Systems*; National Education Association, *Estimates of School Statistics 1990-91* (Copyright 1991. All rights reserved).

Note: Includes supervisors, principals, classroom teachers, librarians and other related instructional staff.

Key:

. . . — Not available

(a) Revised.

(b) Estimated.

Table 8.5
STATE COURSE REQUIREMENTS FOR HIGH SCHOOL GRADUATION

State or other jurisdiction	All courses	Years of instruction in . . .							First graduating class to which requirements apply
		English/ language arts	Social studies	Mathematics	Science	Physical education /health	Electives	Other courses	
Alabama (a,b)									
Standard diploma	22	4	3	2	2	1½	9½	. . .	1989
Advanced diploma	22	4	4	3	3	1½	4	½ home/personal management, 2 foreign languages	1989
Alaska	21	4	3	2	2	1	9	. . .	. . .
Arizona (b)	20	4	2½	2	2	. . .	9	½ free enterprise	1991
Arkansas	20	4	3 (c)	3	2	1	6½	½ fine arts	1988
California (b,d)									. . .
Standard diploma	13	3	3	2	2	2	. . .	1 fine arts or foreign language	
Advanced diploma	16	3	3	3	2	2	. . .	2 in same foreign language, 1 fine arts	. . .
Colorado	(e)								
Connecticut	20	4	3	3	2	1	6	1 arts or vocational education	1988
Delaware (b)	19	4	3	2	2	1½	6½	. . .	1987
Florida (b,f,g)									
Standard diploma	24	4	3	3	3 (h)	½	9	½ practical/exploratory vocational education, ½ performing arts or speech and debate, ½ life management skills	1989
Academic scholars	26	4	2	2	2	1½	1½	2 foreign languages, 1 fine arts	1989
Georgia (b)									
Standard diploma	21	4	3	2	2	1	8	1 fine arts, vocational education, computer technology, or junior ROTC	1988
Advanced diploma	21	4	3	3	3	1	4	2 foreign languages, 1 fine arts, vocational education, computer technology or ROTC	1988
Hawaii	20	4	4	2	2	1½	6	½ guidance	. . .
Idaho (i,j)	21	4	2	2	2	1½	6	½ reading, ½ speech, ½ consumer education, 2 humanities (k)	1989
Illinois (l)	16	3	2	2	1	4½	2¼	¼ consumer education, 1 art, foreign language, music or vocational education	1988
Indiana (m)									
Standard diploma	19½	4	2	2	2	1½	8	. . .	1989
Academic honors	24	4	3	4	4	1	4 or 5	3 or 4 in foreign languages (n)	1990
Iowa (f,o)	. . .	. . .	. . .	. . .	. . .	1	. . .	. . .	. . .
Kansas	21	4	3	2	2	1	9	. . .	1989
Kentucky									
Standard diploma	20	4	2	3	2	1	7	1 additional mathematics science, social studies, or vocational education	1987
Commonwealth diploma	22	5	2	6		1	7 (p)	1 foreign language in advanced placement	1986
Louisiana (b)									
Standard diploma	23	4	3	3	3	2	7½	½ computer literacy	1989
Louisiana scholar (q)	23	4	3	3	3	2	7½	½ computer literacy	1987
Regents' scholar	24	4	3½	3	3	2	4½	3 foreign languages, 1 fine arts	1983
Maine (a,r)	16	4	2	2	2 (h)	1½	3½	1 fine arts	1989
Maryland (b,s)	20	4	3	3	2	1	5	1 fine arts, industrial arts/technology education, home economics, vocational education or computer studies	1989
Massachusetts (o,r)	. . .	. . .	1	. . .	. . .	4	. . .	. . .	. . .
Michigan (o,t)									
Standard diploma	. . .	4	3	3	2	1	. . .	2 foreign languages, fine or performing arts or vocational education; ½ computer education	. . .
College preparatory	. . .	4	3	3	2	1	. . .	At least 2 foreign languages	. . .
Minnesota (f)	20	4	3	1	1	1½	9½	. . .	1982
Mississippi (b)	18	4	2	2	2 (h)	. . .	8	. . .	1989
Missouri									
Standard diploma	22	3	2	2	2	1	10	1 practical arts, 1 fine arts	1988
College preparatory (u)	24	4	3	3	3	1	8	1 practical arts, 1 fine arts	1988

See footnotes at end of table.

STATE COURSE REQUIREMENTS—Continued

State or other jurisdiction	All courses	Years of instruction in . . .							First graduating class to which requirements apply
		English/language arts	Social studies	Mathematics	Science	Physical education/health	Electives	Other courses	
Montana (v)	20	4	1½	2	1	1	10½	. . .	1989
Nebraska	(w)								1991
Nevada (a,b)	22½	4	2	2	2	2½	8½	1 arts/humanities, ½ computer literacy	1992
New Hampshire (x)	19¼	4	2½	2	2	1¼	4	½ arts, ½ computer science, 3 from 2 of the following: arts, foreign language, practical arts, or vocational education	1989
New Jersey (b,m,y)	21½	4	3	3	2	4	4	1 fine, practical or performing arts, ½ career exploration	1990
New Mexico (a,i,z)	23	4	3	3	2	1	9	1 communication skills	1990
New York (b)									
Local diploma	18½	4	4	2	2	½	0 to 2	1 art and/or music, ½ health, 2 noncredit units of physical education beyond total	1989
Regents' diploma	18½	4	4	2	2	½	0 to 2	3 to 5 in a sequence of specific courses (varying on type of diploma) chosen by the student	1989
North Carolina (b)									
Standard diploma	20	4	2	2	2 (h)	1	9	. . .	1987
Scholars program	22	4	3	3	3	1	4	2 foreign languages and 2 additional: English, science, mathematics, social science, or foreign language	1994
North Dakota (aa)	17	4	3	2	2	1	5	. . .	1984
Ohio (b)	18	3	2	2	1	1	9	. . .	1988
Oklahoma									
Standard diploma	20	4	2	2	2	. . .	10	. . .	1987
College preparatory	15 (bb)	4	2	3	2	. . .	. . .	4 from: foreign language (cc), computer science, economics, English, geography, government, math, history, sociology, science, speech, or psychology.	1988
Oregon (b,dd)	22	3	3½	2	2	2	8	½ career development, 1 applied arts, fine arts, or foreign language	1988
Pennsylvania (ee)	21	4	3	3	3	1	5	2 arts/humanities (ff)	1989
Rhode Island									
Standard diploma	16	4	2	2	2	. . .	6	. . .	1989
College preparatory	18	4	2	3	2	. . .	4	2 foreign languages, ½ arts, ½ computer literacy	1989
South Carolina (b,f,gg)									
Standard diploma	20	4	3	3 (hh)	2	1	7	. . .	1987
Academic achievement honors	22	4	3	3	2	1	7	2 foreign languages	1986
South Dakota	20	4	3	2	3	. . .	7	½ computer studies, ½ fine arts	1990
Tennessee (b,ii)									
Standard diploma	20	4	1	2	2	1½	9	½ economics	1989
Honors	20½	4	3	3	3	1½	2	2 in same foreign language, 2 fine/visual or performing arts for general honors; 4 in same vocational education program for vocational education honors	1989
Texas (b,f)									
Standard diploma	21	4	2½	3	2	1½/1½	7	½ economics/free enterprise	1988
College preparatory	22	4	2½	3	3	1½/1½	3	½ economics/free enterprise, 2 foreign languages, 1 computer science, 1 fine arts	1988
Utah	24	3	3	2	2	2	9	1½ arts, 1 vocational education, ½ computer science (optional)	1988
Vermont	15½	4	4	0 to 5		1½	. . .	1 arts, 5 in math and science	1989

See footnotes at end of table.

STATE COURSE REQUIREMENTS—Continued

State or other jurisdiction	All courses	Years of instruction in . . . English/ language arts	Social studies	Mathematics	Science	Physical education /health	Electives	Other courses	First graduating class to which requirements apply
Virginia (b,f)									
Standard diploma . . .	21	4	3	2 (jj)	2 (jj)	2	6	1 additional science or mathematics, 1 fine or practical arts	1989
Advanced studies diploma	23	4	3	3	3	2	4	3 foreign languages, 1 fine or practical arts	1989
Washington (kk)	19	3	2½	2	2	2	5½	1 occupational education, 1 fine, visual or performing arts	1991
West Virginia (ll)	21	4	3	2	2	2	7	1 applied, fine, or performing arts or foreign language	1989
Wisconsin (mm)	13	4	3	2	2	2	. . .	. . .	1989
Wyoming (o,nn)	18	. . .	1	. . .	. . .	. . .	. . .	. . .	. . .
Dist. of Columbia . . .	20½	4	2	2	2	1½	7	1 foreign language, 1 life skills	1985

Source: Education Commission of the States, *Clearinghouse Notes* (September 1990).

Key:

. . . — No requirement

(a) Must be computer literate before graduation. In Nevada, computer literacy may be waived by demonstration of competency.

(b) Minimum competency test is required for graduation. In Oregon, effective 1992. In Maryland, a writing test and passage of a quiz on citizenship also is required.

(c) Social studies option of three (3) or two (2) units social studies and one (1) practical arts.

(d) State board has published "Model Graduation Requirements" to be used as a guide by local districts. These include specifics in core subjects plus computer studies and foreign language. State department of education has test and cut-off standards for early exit with parental approval.

(e) Local boards determine requirements; state has constitutional prohibition against state requirements. Accreditation requires total of 30 units covering language arts, social studies, science, mathematics, foreign language, fine/vocational/practical arts, health/safety and physical education.

(f) Students in junior and senior classes may receive dual credits for college courses.

(g) Vocational students may substitute certain sequences of vocational courses to satisfy up to two (2) of the required credits in each of the areas of English, mathematics and science.

(h) One (1) of the science units must include lab. In Florida, two (2) of the science units must be in a lab.

(i) State-level minimum competency tests are an option of the local districts. If students pass the test, a special proficiency endorsement is included on their diploma.

(j) State requires "C" average, demonstrated competency in core curriculum on a junior class competency test or adherence to local district's achievement plan for graduation.

(k) Practical arts may substitute for one (1) unit of humanities.

(l) School boards may excuse pupils in 11th and 12th grades from physical education for: participation in interscholastic athletics; or enrollment in an academic class required for admission to college or to meet graduation requirements. Pupils in grades 9-12 may elect to take a state board of education developed consumer education proficiency test; if passed, pupils are excused from this requirement.

(m) State does not use standard Carnegie units.

(n) Three (3) years in one language or two (2) years each in two.

(o) Legislative requirements in effect for many years. Local districts determine remaining requirements.

(p) Seven (7) electives determined by local school board.

(q) Must have ACT score of 29 or above, 3.5 GPA with no semester grade lower than a "B," no unexcused absences and no high school suspensions to receive a scholar program seal on diploma.

(r) American history is required.

(s) Students must earn four (4) credits after grade 11. Students can earn statewide certificate of merit with fulfillment of additional requirements or special education program. Special education certificates are available for students unable to meet requirements but who complete a special education program.

(t) State board published graduation requirement guidelines, which local districts are urged to incorporate. Included are a minimum of 15 1/2 units, which includes an option of two (2) units selected from: foreign language, fine or performing arts, vocational education, and 1/2 computer education; and a modified academic course work for college-bound students.

(u) For college preparation, specific core subjects must be taken.

(v) Effective July 1992, requirements will be changed to two (2) units of science, one (1) unit of fine arts, and one (1) unit of vocational/practical arts.

(w) For graduation, state requires 200 credit hours (20 units), with at least 80 percent in core curriculum courses.

(x) Use of minimum competency test as graduation requirement is local district's option.

(y) For graduation, state requires 92 credit hours. Increased mathematics requirement effective for 9th grade class entering 1990-91 academic year.

(z) Languages other than English are allowed to satisfy communication skills requirement, which emphasizes areas of writing and speaking.

(aa) Students may substitute one (1) unit of higher-level foreign language for the fourth (4th) unit of English; one (1) unit of mathematics may be business math. Local education agencies are urged to establish requirements at a minimum of 20 units.

(bb) Total hour requirement is less, but more rigorous and restrictive.

(cc) If student elects foreign language, two (2) years in same language.

(dd) Students who maintain minimum 3.5 GPA will receive an honors seal on their diploma.

(ee) Learning objectives and curriculum guidelines for 12 goals of quality education have been prescribed.

(ff) Students may option computer science instead of arts and humanities.

(gg) Students who earn one (1) unit in science and six (6) or more in a specific occupational service area will fulfill the science requirements for a standard diploma.

(hh) If approved, one (1) unit of computer science can count for a mathematics requirement.

(ii) Students may meet economics requirement by one (1) semester in economics, out-of-school experiences through Junior Achievement, or marketing education.

(jj) Appropriate vocational education class or ROTC may satisfy mathematics or science requirement.

(kk) Additional credit required for 1991 graduates.

(ll) At time of survey, state had approved but not implemented an advanced studies certificate.

(mm) State recommends that districts require a total of 22 units. Electives are option of local districts.

(nn) Accreditation standards indicate four (4) units of English/language arts, three (3) social studies, two (2) mathematics courses, and two (2) science courses.

Table 8.6
NUMBER OF INSTITUTIONS OF HIGHER EDUCATION AND BRANCHES, BY TYPE, CONTROL OF INSTITUTION AND STATE: 1989-90

State or other jurisdiction	All institutions			Universities		All other 4-year institutions		2-year institutions	
	Total	*Public*	*Private*	*Public*	*Private*	*Public*	*Private*	*Public*	*Private*
United States	3,535	1,563	1,972	93	62	502	1,470	968	440
Alabama	87	55	32	2	0	16	18	37	14
Alaska	8	3	5	1	0	2	4	0	1
Arizona	37	20	17	2	0	1	14	17	3
Arkansas	37	20	17	1	0	9	10	10	7
California	310	138	172	2	4	29	136	107	32
Colorado	54	28	26	2	1	11	16	15	9
Connecticut	48	24	24	1	1	6	20	17	3
Delaware	10	5	5	1	0	1	5	3	0
Florida	95	38	57	2	1	8	42	28	14
Georgia	95	47	48	1	1	18	31	28	16
Hawaii	14	9	5	1	0	2	5	6	0
Idaho	11	6	5	1	0	3	3	2	2
Illinois	166	59	107	3	4	9	87	47	16
Indiana	78	28	50	4	1	10	40	14	9
Iowa	58	18	40	2	1	1	33	15	6
Kansas	54	29	25	3	0	5	22	21	3
Kentucky	59	22	37	2	0	6	24	14	13
Louisiana	34	20	14	1	2	13	8	6	4
Maine	31	13	18	1	0	7	13	5	5
Maryland	57	33	24	1	1	13	20	19	3
Massachusetts	117	30	87	1	7	13	64	16	16
Michigan	97	44	53	3	1	12	47	29	5
Minnesota	81	36	45	1	0	9	34	26	11
Mississippi	47	29	18	2	0	7	12	20	6
Missouri	89	27	62	1	2	12	50	14	10
Montana	19	13	6	2	0	4	3	7	3
Nebraska	36	20	16	1	1	6	13	13	2
Nevada	8	6	2	1	0	1	1	4	1
New Hampshire	29	12	17	1	0	4	12	7	5
New Jersey	62	33	29	1	2	13	23	19	4
New Mexico	26	22	4	2	0	4	4	16	0
New York	326	90	236	2	12	40	174	48	50
North Carolina	126	74	52	2	2	14	35	58	15
North Dakota	20	15	5	2	0	4	4	9	1
Ohio	152	61	91	8	1	17	64	36	26
Oklahoma	47	28	19	2	1	12	12	14	6
Oregon	46	21	25	2	0	6	24	13	1
Pennsylvania	217	61	156	2	4	41	99	18	53
Rhode Island	11	3	8	1	0	1	8	1	0
South Carolina	64	33	31	2	0	10	20	21	11
South Dakota	19	7	12	2	0	5	10	0	2
Tennessee	86	24	62	1	1	9	41	14	20
Texas	174	107	67	6	4	34	52	67	11
Utah	14	9	5	2	1	2	1	5	3
Vermont	22	6	16	1	0	3	13	2	3
Virginia	78	39	39	3	0	12	33	24	6
Washington	55	33	22	2	0	4	20	27	2
West Virginia	28	16	12	1	0	11	9	4	3
Wisconsin	61	30	31	1	1	12	27	17	3
Wyoming	9	8	1	1	0	0	0	7	1
U.S. Service Schools	9	9	0	0	0	8	0	1	0
Dist. of Columbia	17	2	15	0	5	2	10	0	0
American Samoa	1	1	0	0	0	0	0	1	0
Guam	2	2	0	0	0	1	0	1	0
No. Mariana Islands	1	1	0	0	0	0	0	1	0
Republic of Palau	2	2	0	0	0	0	0	2	0
Puerto Rico	55	15	40	1	0	10	30	4	10
U.S. Virgin Islands	2	2	0	0	0	2	0	0	0

Source: U.S. Department of Education, National Center for Education Statistics.

Note: Because of revised survey procedures, data are not entirely comparable with figures for earlier years. The number of branch campuses reporting separately has increased.

Table 8.7
AVERAGE SALARY OF FULL-TIME INSTRUCTIONAL FACULTY IN INSTITUTES OF HIGHER EDUCATION, BY TYPE AND CONTROL OF INSTITUTION AND STATE: 1989-90

	Public institutions				*Private institutions*			
		4-year institutions				*4-year institutions*		
State or other jurisdiction	*Total*	*University*	*Other 4-year institutions*	*2-year institutions*	*Total*	*University*	*Other 4-year institutions*	*2-year institutions*
United States	$40,161	$44,958	$40,567	$34,404	$39,505	$50,787	$34,987	$24,601
Alabama	34,148	38,711	32,956	30,644	29,305	. . .	29,760	23,961
Alaska	45,280	44,828	45,552	. . .	37,976	. . .	37,976	. . .
Arizona	41,386	44,856	36,893	37,413	32,987	. . .	32,987	. . .
Arkansas	32,194	37,902	31,869	25,471	28,044	. . .	28,116	23,969
California	47,194	59,945	51,396	35,482	43,846	56,997	37,461	33,148
Colorado	38,216	46,063	37,184	27,701	40,380	41,219	39,263	. . .
Connecticut	47,709	54,203	45,453	41,081	46,667	59,192	41,721	27,639
Delaware	41,248	43,547	32,733	35,401	36,537	. . .	36,537	. . .
Florida	38,557	45,130	39,362	34,100	36,103	46,298	32,852	22,834
Georgia	36,912	40,468	37,439	30,925	34,317	48,112	30,833	23,326
Hawaii	40,847	44,984	36,729	35,317	25,466	. . .	25,466	. . .
Idaho	33,784	37,920	32,793	29,090	25,042	. . .	26,893	24,436
Illinois	40,065	43,712	38,725	38,201	41,466	53,081	34,066	24,667
Indiana	37,357	41,342	35,445	25,442	37,635	54,402	33,020	28,825
Iowa	41,229	47,892	38,613	29,047	32,406	40,177	31,261	26,936
Kansas	36,023	40,275	34,476	29,453	23,871	. . .	24,238	19,878
Kentucky	34,018	39,998	33,145	26,596	28,008	. . .	28,287	17,797
Louisiana	32,114	38,633	30,865	26,641	38,664	44,748	27,499	. . .
Maine	36,780	40,705	36,590	28,683	36,828	. . .	36,923	27,740
Maryland	42,087	48,442	41,661	38,560	41,077	55,798	34,358	20,076
Massachusetts	43,952	53,044	44,590	36,110	47,384	54,245	40,843	25,912
Michigan	42,820	49,745	39,285	39,648	33,502	37,886	33,362	23,095
Minnesota	41,204	49,879	38,650	38,119	34,952	. . .	35,303	25,670
Mississippi	30,747	36,245	31,925	26,972	29,434	. . .	30,290	17,156
Missouri	36,274	41,330	36,168	33,514	34,337	46,136	28,755	23,706
Montana	30,671	32,629	28,456	26,029	25,140	. . .	25,871	24,048
Nebraska	35,827	43,430	34,097	24,603	31,236	37,726	27,993	19,936
Nevada	39,483	42,479	40,116	33,411	29,110	. . .	27,454	33,250
New Hampshire	37,116	42,233	34,344	28,982	41,045	. . .	41,379	16,851
New Jersey	44,524	52,314	44,796	39,293	46,510	56,335	39,756	. . .
New Mexico	34,913	38,412	32,912	27,328	29,226	. . .	29,226	. . .
New York	46,766	53,364	48,847	41,741	42,473	51,237	37,973	21,911
North Carolina	38,753	45,466	38,216	24,915	34,050	45,404	29,616	25,709
North Dakota	31,696	33,781	30,541	27,642	23,832	. . .	24,897	17,948
Ohio	42,323	45,821	40,865	33,091	34,793	50,068	33,197	32,177
Oklahoma	34,234	37,590	33,978	29,554	35,598	40,977	34,303	20,775
Oregon	34,362	36,801	33,981	32,887	34,257	. . .	34,257	. . .
Pennsylvania	41,891	47,060	40,687	36,545	40,364	53,088	36,807	24,894
Rhode Island	42,442	47,341	39,862	36,018	45,566	. . .	45,566	. . .
South Carolina	35,312	42,133	34,211	26,117	29,041	. . .	29,755	24,209
South Dakota	31,351	31,848	30,663	. . .	24,917	. . .	24,928	21,000
Tennessee	37,160	43,378	37,606	29,094	33,857	51,787	27,450	21,336
Texas	37,449	44,696	35,920	32,469	38,339	46,116	32,324	22,529
Utah	34,181	39,185	29,953	27,109	43,647	44,271	27,414	33,596
Vermont	38,796	42,454	30,697	28,138	33,397	. . .	34,828	23,680
Virginia	43,328	49,697	43,846	34,370	33,743	. . .	33,861	24,068
Washington	37,024	43,742	36,576	31,435	35,120	. . .	35,120	. . .
West Virginia	30,426	35,759	28,490	24,471	26,303	. . .	26,583	21,295
Wisconsin	38,973	49,175	37,952	35,501	36,133	43,531	33,650	. . .
Wyoming	34,438	39,468	. . .	28,961	. . .	. . .	. . .	. . .
U.S. Service Schools	42,924	. . .	42,924	. . .	. . .	. . .	. . .	. . .
Dist. of Columbia	42,195	. . .	42,195	. . .	45,186	46,524	34,453	. . .
American Samoa	20,694	. . .	. . .	20,694	. . .	. . .	. . .	. . .
Guam	36,263	. . .	39,966	30,809	. . .	. . .	. . .	. . .
No. Mariana Islands	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Republic of Palau	30,873	. . .	. . .	30,873	. . .	. . .	. . .	. . .
Puerto Rico	24,383	25,519	21,374	27,950	9,863	. . .	9,663	10,598
U.S. Virgin Islands	40,888	. . .	40,888	. . .	. . .	. . .	. . .	. . .

Source: U.S. Department of Education, National Center for Education Statistics, Integrated Postsecondary Education Data System (IPEDS).

Note: Data include imputations for nonrespondent institutions.

Key:

. . . — Not available or not applicable.

Table 8.8
ESTIMATED UNDERGRADUATE TUITION AND FEES AND ROOM AND BOARD RATES IN INSTITUTIONS OF HIGHER EDUCATION, BY CONTROL OF INSTITUTION AND STATE: 1989-90

	Public institutions				*Private institutions*			
State or other jurisdiction	*Total*	*Tuition (in state)*	*Room*	*Board*	*Total*	*Tuition*	*Room*	*Board*
Alabama	$4,119	$1,522	$1,236	$1,361	$ 8,212	$ 5,484	$1,136	$1,592
Alaska	4,352	1,280	1,493	1,579	9,030	5,078	1,742	2,210
Arizona	5,595	1,362	1,416	2,817	6,432	4,127	1,026	1,279
Arkansas	4,187	1,376	1,387	1,424	6,110	3,715	994	1,401
California	5,547	1,123	2,182	2,242	14,245	9,489	2,423	2,333
Colorado	4,956	1,830	1,489	1,637	12,920	9,188	1,833	1,899
Connecticut	5,445	2,017	1,758	1,670	16,184	11,268	2,635	2,281
Delaware	6,196	2,768	1,613	1,815	8,776	5,388	1,821	1,567
Florida	. . .	. . .	. . .	. . .	10,738	7,153	1,870	1,715
Georgia	4,308	1,631	1,193	1,484	10,244	7,076	1,511	1,657
Hawaii	4,529	1,293	1,242	1,994	6,997	4,008	1,399	1,590
Idaho	3,792	1,119	943	1,730	9,827	6,669	908	2,250
Illinois	5,495	2,370	1,553	1,572	12,209	8,281	2,021	1,907
Indiana	4,969	1,975	1,349	1,645	11,461	8,267	1,621	1,573
Iowa	4,347	1,823	1,239	1,285	10,769	7,945	1,293	1,531
Kansas	3,509	1,467	1,017	1,025	8,272	5,460	1,184	1,628
Kentucky	4,047	1,316	1,129	1,602	7,366	4,689	1,168	1,509
Louisiana	4,311	1,768	1,212	1,331	13,464	9,257	2,157	2,050
Maine	5,429	1,980	1,729	1,720	14,598	10,425	2,085	2,088
Maryland	6,437	2,120	2,230	2,087	14,621	9,914	2,463	2,244
Massachusetts	5,478	2,052	1,827	1,599	16,904	11,450	2,834	2,620
Michigan	5,854	2,484	1,493	1,877	9,764	6,520	1,481	1,763
Minnesota	4,670	2,063	1,262	1,345	11,891	8,776	1,535	1,580
Mississippi	4,241	1,858	1,111	1,272	7,208	4,828	1,062	1,318
Missouri	4,098	1,532	1,449	1,117	10,691	7,170	1,817	1,704
Montana	5,047	1,535	1,478	2,034	8,013	5,034	1,071	1,908
Nebraska	3,944	1,519	1,043	1,382	9,101	6,442	1,325	1,334
Nevada	4,007	1,100	1,481	1,426	. . .	5,400	2,000	. . .
New Hampshire	5,484	2,196	2,050	1,238	14,748	10,299	2,347	2,102
New Jersey	6,396	2,511	2,267	1,618	14,439	9,398	2,270	2,771
New Mexico	4,018	1,326	1,250	1,442	10,563	7,335	1,309	1,919
New York	5,094	1,460	2,014	1,620	14,076	9,517	2,341	2,218
North Carolina	3,790	1,015	1,293	1,482	10,412	7,373	1,345	1,694
North Dakota	4,360	1,604	847	1,909	7,939	5,149	1,308	1,482
Ohio	5,805	2,432	1,658	1,715	11,330	8,019	1,594	1,717
Oklahoma	3,754	1,309	1,096	1,349	8,119	5,133	1,308	1,678
Oregon	4,776	1,738	1,233	1,805	12,074	8,656	1,602	1,816
Pennsylvania	6,366	3,210	1,641	1,515	13,416	9,430	2,030	1,956
Rhode Island	6,340	2,281	2,140	1,919	14,126	10,143	1,935	2,048
South Carolina	5,089	2,162	1,367	1,560	8,771	5,914	1,356	1,501
South Dakota	4,236	1,718	873	1,645	8,595	6,224	1,106	1,265
Tennessee	4,172	1,406	1,287	1,479	9,642	6,530	1,572	1,540
Texas	4,168	959	1,585	1,624	9,402	6,047	1,526	1,829
Utah	4,342	1,429	1,449	1,464	4,970	1,975	1,169	1,826
Vermont	7,715	3,641	2,386	1,688	14,691	10,928	1,846	1,917
Virginia	5,983	2,532	1,851	1,600	10,342	7,238	1,472	1,632
Washington	4,634	1,710	1,534	1,390	11,229	8,096	1,618	1,515
West Virginia	5,128	1,591	1,857	1,680	10,058	7,197	1,287	1,574
Wisconsin	4,411	1,861	1,351	1,199	11,021	7,615	1,434	1,972
Wyoming	3,880	1,003	1,226	1,651	. . .	. . .	. . .	. . .
Dist. of Columbia	. . .	664	. . .	. . .	14,622	9,489	2,701	2,432

Source: U.S. Department of Education, National Center for Education Statistics.

Note: Data are for the entire academic year and are average charges for four-year institutions. Tuition and fees were weighted by the number of full-time-equivalent undergraduates but are not adjusted to reflect student residency. Room and board are based on full-time students.

Key:

. . . — Not available or not applicable

Table 8.9
GENERAL REVENUE OF PUBLIC SCHOOL SYSTEMS, BY SOURCE: 1988-89
(In thousands of dollars)

State or other jurisdiction	*Total* (a)	*Intergovernmental*					*From own sources*					
				From state						*Current charges*		
		Total	*Directly from federal government*	*Federal aid distributed by state*	*Other*	*From other local governments*	*Total*	*Taxes*	*Parent government contributions*	*School lunch*	*Other*	*Other*
United States	$193,051,856	$101,258,710	$1,266,965	$10,070,840	$87,272,665	$2,648,240	$86,085,048	$58,459,316	$15,558,797	$3,271,480	$2,258,541	$6,536,914
Alabama	2,395,207	1,816,072	24,598	225,196	1,374,741	191,537	377,976	240,452	0	74,268	6,237	57,019
Alaska	979,805	713,103	68,826	35,345	608,343	589	266,702	0	222,862	7,416	8,693	27,731
Arizona	2,679,676	1,476,758	93,356	133,503	1,155,718	94,181	1,202,918	956,045	190	45,972	22,682	178,029
Arkansas	1,420,769	829,026	3,634	122,253	700,894	2,245	486,468	382,133	0	23,390	46,702	34,243
California	22,983,237	15,905,913	128,478	1,306,167	14,417,488	53,780	6,562,845	4,060,415	229,376	279,426	546,586	1,447,042
Colorado	2,539,787	1,111,874	16,971	111,728	981,767	1,408	1,427,913	1,220,495	0	42,368	47,629	117,421
Connecticut	3,368,012	1,291,026	1,935	107,049	1,066,328	115,714	1,792,927	0	1,746,320	39,225	3,012	4,370
Delaware	498,492	366,200	5,084	30,393	330,723	0	132,292	112,804	0	9,613	402	9,473
Florida	8,704,171	5,072,017	33,228	509,059	4,529,730	0	3,632,154	2,888,621	0	168,260	230,186	345,087
Georgia	4,596,611	2,804,139	23,338	266,347	2,452,863	61,591	1,745,668	1,486,480	0	87,504	19,202	152,482
Hawaii	747,682	719,808	77,238	0	642,570	0	27,874 (b)	0	0	10,618	13,271	3,985
Idaho	649,844	402,680	9,248	38,286	355,145	1	214,354	183,397	0	13,344	966	16,647
Illinois	8,098,451	3,298,525	38,408	399,569	2,855,505	5,043	4,523,695	3,986,323	0	130,639	65,258	341,475
Indiana	4,442,736	2,413,016	6,372	178,825	2,192,201	35,618	1,726,660	1,399,230	0	136,846	28,676	161,908
Iowa	2,030,440	1,065,283	1,049	61,448	1,002,786	0	965,157	838,521	0	56,258	7,733	62,645
Kansas	1,890,131	974,993	9,669	42,220	790,054	133,050	874,275	726,385	0	42,872	17,807	87,211
Kentucky	2,044,172	1,381,973	11,999	176,469	1,192,340	1,165	518,104	421,007	0	45,812	7,245	44,040
Louisiana	2,772,431	1,791,179	18,596	258,958	1,458,892	54,733	969,093	792,117	0	35,584	9,456	131,936
Maine	1,030,044	482,918	4,005	43,128	435,779	6	453,342	155,995	252,820	11,969	11,877	20,681
Maryland	3,895,048	1,225,067	22,775	166,884	1,035,235	173	2,256,585	0	2,088,815	62,827	51,745	53,198
Massachusetts	5,063,633	2,235,153	12,939	206,532	1,680,552	335,130	2,568,480	0	2,452,924	79,457	13,138	22,961
Michigan	8,549,772	2,721,409	41,516	368,204	2,112,148	199,541	5,209,239	4,614,841	0	121,607	98,942	373,849
Minnesota	3,674,288	2,155,668	11,171	143,889	1,968,359	32,249	1,518,620	1,238,800	0	74,627	68,444	136,749
Mississippi	1,506,272	1,107,360	18,087	229,257	859,251	765	398,912	281,724	1,625	30,805	35,198	49,560
Missouri	3,414,581	2,111,946	8,618	188,116	1,338,881	576,331	1,302,635	1,022,280	0	71,777	77,509	131,069
Montana	660,809	428,753	29,924	27,154	317,573	54,102	231,932	187,384	0	9,346	1,543	33,659
Nebraska	1,221,753	371,951	16,727	52,966	227,091	75,167	849,802	711,056	0	24,740	68,297	45,709
Nevada	752,327	495,836	4,509	24,404	466,923	0	256,491	201,615	0	12,443	1,013	41,420
New Hampshire	825,631	94,401	2,625	21,613	69,515	648	731,230	544,172	149,466	19,338	4,788	13,466
New Jersey	8,344,239	2,969,938	12,350	286,980	2,670,608	0	4,631,947	3,767,406	592,816	96,793	0	174,932
New Mexico	1,109,752	967,524	58,140	71,280	838,104	0	142,228	99,984	0	15,781	4,542	21,921
New York	18,780,469	9,014,262	15,661	832,775	8,105,275	60,551	9,766,207	5,849,216	3,324,554	179,237	81,750	331,450
North Carolina	4,491,946	3,115,032	25,122	276,338	2,813,572	0	1,376,914	0	1,085,452	128,775	4,783	157,904
North Dakota	478,197	277,587	14,920	44,954	209,850	7,863	200,610	152,034	0	10,160	16,027	22,389
Ohio	7,770,203	3,669,143	19,452	375,262	3,266,268	8,161	4,092,836	3,499,388	0	172,371	191,210	229,867
Oklahoma	2,202,692	1,379,990	59,905	124,867	1,147,671	47,547	729,376	609,044	0	41,353	13,729	65,250
Oregon	2,296,988	764,663	46,233	89,461	585,464	43,505	1,532,325	1,376,876	0	33,679	40,133	81,637
Pennsylvania	9,091,400	3,788,931	22,111	485,614	3,278,723	2,483	4,857,810	4,317,127	0	166,740	38,818	335,125
Rhode Island	752,237	333,321	4,136	27,995	278,915	22,275	382,188	0	378,466	0	721	3,001
South Carolina	2,434,564	1,462,981	9,711	179,561	1,179,091	94,618	923,070	729,158	0	47,000	66,619	80,293

Table 8.11
TOTAL ROAD AND STREET MILEAGE: 1990
(Classified by jurisdiction)

	Rural mileage				*Urban mileage*			
State or other jurisdiction	*Under state control*	*Under local control* (a)	*Under federal control* (b)	*Total rural roads*	*Under state control*	*Under local control* (a)	*Total urban mileage*	*Total rural and urban mileage*
United States	702,562	2,242,030	178,196	3,122,788	95,790	660,549	757,363	3,880,151
Alabama	9,397	63,481	940	73,818	1,594	15,260	16,854	90,672
Alaska	5,203	4,182	2,551	11,936	380	1,169	1,549	13,485
Arizona	5,652	20,621	10,672	36,945	484	14,155	14,667	51,612
Arkansas	14,975	52,921	1,512	68,408	1,227	6,450	7,677	77,085
California	15,024	59,164	15,464	89,652	3,387	70,528	73,922	163,574
Colorado	8,512	51,010	6,886	66,408	858	10,414	11,272	77,680
Connecticut	2,201	6,881	4	9,086	1,689	9,216	10,905	19,991
Delaware	3,575	251	3	3,829	1,228	387	1,615	5,444
Florida	7,647	52,404	. . .	60,051	4,188	43,846	48,034	108,085
Georgia	15,451	71,495	927	87,873	2,340	19,376	21,728	109,601
Hawaii	871	1,681	35	2,587	201	1,266	1,512	4,099
Idaho	4,855	27,157	27,994	60,006	255	2,164	2,429	62,435
Illinois	13,033	90,750	158	103,941	4,349	27,639	32,003	135,944
Indiana	9,773	64,267	. . .	74,040	1,573	16,295	17,868	91,908
Iowa	9,331	94,424	. . .	103,755	924	7,862	8,786	112,541
Kansas	10,088	114,385	. . .	124,473	593	8,512	9,105	133,578
Kentucky	25,455	36,213	308	61,976	2,078	5,428	7,692	69,668
Louisiana	14,949	30,753	628	46,330	1,670	10,620	12,290	58,620
Maine	7,770	11,959	166	19,895	773	1,711	2,494	22,389
Maryland	3,944	12,216	302	16,462	1,437	10,729	12,290	28,752
Massachusetts	1,762	11,381	87	13,230	1,875	18,941	20,846	34,076
Michigan	7,709	83,064	. . .	90,773	1,840	24,836	26,676	117,449
Minnesota	12,177	101,360	1,652	115,189	1,187	13,021	14,208	129,397
Mississippi	9,709	54,696	759	65,164	738	6,602	7,356	72,520
Missouri	30,841	74,084	563	105,488	1,548	13,491	15,039	120,527
Montana	8,047	46,603	14,466	69,116	158	2,113	2,271	71,387
Nebraska	9,956	77,358	137	87,451	325	4,627	4,952	92,403
Nevada	4,920	23,658	13,862	42,440	300	2,782	3,084	45,524
New Hampshire	3,727	8,540	136	12,403	325	2,108	2,433	14,836
New Jersey	1,587	10,142	21	11,750	1,635	20,849	22,502	34,252
New Mexico	11,149	38,089	. . .	49,238	765	4,733	5,498	54,736
New York	12,275	61,054	. . .	73,329	4,098	33,815	37,913	111,242
North Carolina	70,133	3,522	1,790	75,445	7,513	11,512	19,245	94,690
North Dakota	7,181	76,693	832	84,706	205	1,606	1,811	86,517
Ohio (c)	16,579	65,564	29	82,172	3,925	27,503	31,428	113,600
Oklahoma	12,009	87,586	87	99,682	991	11,090	12,083	111,765
Oregon	10,398	33,592	42,569	86,559	789	7,585	8,410	94,969
Pennsylvania	37,447	49,725	992	88,164	7,201	21,143	28,344	116,508
Rhode Island	362	1,161	. . .	1,523	778	3,810	4,588	6,111
South Carolina	35,461	18,644	598	54,703	6,051	3,292	9,343	64,046
South Dakota	7,797	63,170	1,995	72,962	174	1,559	1,734	74,696
Tennessee	12,394	56,327	578	69,299	2,093	13,247	15,340	84,639
Texas	68,669	147,544	962	217,175	7,943	80,833	88,776	305,951
Utah	5,119	22,605	9,945	37,669	675	4,893	5,575	43,244
Vermont	2,666	10,204	71	12,941	150	1,021	1,180	14,121
Virginia	49,777	858	1,814	52,449	6,214	8,826	15,251	67,700
Washington	17,255	37,703	10,081	65,039	1,059	15,189	16,260	81,299
West Virginia	30,258	628	630	31,516	1,308	1,768	3,076	34,592
Wisconsin	11,132	83,468	881	95,481	1,341	13,054	14,395	109,876
Wyoming	6,360	26,792	4,109	37,261	277	1,673	1,952	39,213
Dist. of Columbia	. . .	. . .	. . .	. .	1,081	. . .	1,102	1,102

Source: Federal Highway Administration, U.S. Department of Transportation. Compiled for calendar year ending December 31, 1990, from reports of state authorities.

Note: This table does not include mileage of non-public roads.

Key:

. . . — Not applicable

(a) Includes mileage not identified by administrative authority.

(b) Mileage in federal parks, forests, and reservations that are not a part of the state and local highway systems.

(c) 1989 base data factored to 1990 levels (1990 base data not available).

Table 8.12
STATE RECEIPTS FOR HIGHWAYS: 1990
(In thousands of dollars)

State or other jurisdiction	State highway user tax revenues	Roads and crossing tolls (a)	Other state imposts, general fund revenues	Miscellaneous income	Federal funds: Federal highway administration	Federal funds: Other agencies	Transfers from local governments	Bond proceeds (b)	Total receipts
United States	$27,957,041	$2,554,975	$2,976,560	$2,356,590	$13,721,349	$409,401	$683,223	$3,191,744	$53,850,883
Alabama	494,122	. . .	11,597	13,497	317,204	3,468	578	12,318	852,784
Alaska	45,690	15,962	116,294	21,484	131,274	4,902	. . .	. . .	335,606
Arizona	541,829	. . .	135,786	63,429	180,886	16,525	119,836	360,254	1,418,545
Arkansas	318,991	. . .	15,545	17,694	114,315	4,294	11,024	. . .	481,863
California	2,069,019	97,685	1,552	268,182	1,478,069	44,620	120,746	. . .	4,079,873
Colorado	363,683	. . .	18,063	19,414	270,106	2,864	13,484	. . .	687,614
Connecticut	328,968	137	834	57,904	437,345	3,905	. . .	624,696	1,453,789
Delaware	87,667	54,588	. . .	16,788	37,461	774	. . .	127,807	325,085
Florida	917,259	128,173	45,400	123,078	463,140	7,295	13,253	374,706	2,072,304
Georgia	387,189	1,348	418,233	88,003	327,083	3,286	. . .	. . .	1,225,142
Hawaii	93,414	. . .	52,878	4,301	135,520	519	. . .	29,940	316,572
Idaho	164,371	. . .	. . .	561	125,457	8,159	4,958	. . .	303,526
Illinois	1,533,993	238,905	215,059	81,160	487,659	8,376	31,008	123,250	2,719,410
Indiana	714,873	56,755	4,671	83,190	267,481	3,113	12,790	72,034	1,214,907
Iowa	546,188	. . .	106,221	19,050	205,207	1,621	2,942	. . .	881,229
Kansas	304,062	37,902	163,690	21,175	166,383	3,448	13,751	28,425	738,836
Kentucky	706,807	18,910	37,529	65,723	191,249	2,682	2,433	. . .	1,025,333
Louisiana	476,145	23,531	157,226	5,496	301,263	4,411	. . .	. . .	968,072
Maine	168,716	36,486	1,402	9,083	69,340	1,928	. . .	. . .	286,955
Maryland	907,266	72,714	48,379	29,876	351,860	2,237	. . .	71,405	1,483,737
Massachusetts	438,078	143,011	57,448	60,690	225,934	2,700	914	166,910	1,095,685
Michigan	986,637	13,144	70,071	70,954	320,446	4,538	25,515	. . .	1,491,305
Minnesota	782,078	. . .	85,054	68,574	266,592	3,615	30,411	5,116	1,241,440
Mississippi	357,577	. . .	65,758	25,568	115,166	6,279	2,001	. . .	572,349
Missouri	525,529	. . .	122,108	7,871	291,092	6,409	4,597	. . .	957,606
Montana	140,623	. . .	8,833	17,456	107,335	8,243	1,750	. . .	284,240
Nebraska	253,240	. . .	87,920	10,156	91,899	2,291	14,797	. . .	460,303
Nevada	190,661	. . .	15,771	7,775	90,740	801	2,451	. . .	308,199
New Hampshire	133,159	46,466	. . .	8,674	62,518	1,120	5,837	97,842	355,616
New Jersey	591,498	395,703	. . .	287,058	323,737	3,875	. . .	10,000	1,611,863
New Mexico	293,615	. . .	. . .	13,160	98,295	1,867	1,694	. . .	408,631
New York	897,992	500,147	55,868	162,560	591,204	8,572	. . .	621,980	2,838,323
North Carolina	1,050,593	1,396	. . .	57,749	379,174	3,436	14,176	. . .	1,506,524
North Dakota	101,733	. . .	4,500	245	68,321	1,295	6,559	. . .	182,653
Ohio	1,493,215	83,661	144,481	65,785	413,219	5,296	32,105	75,468	2,313,230
Oklahoma	414,888	53,259	27,499	58,722	155,040	2,914	6,652	. . .	718,974
Oregon	442,550	2,425	9,483	26,685	149,474	76,894	13,467	. . .	720,978
Pennsylvania	1,548,711	286,170	. . .	139,874	767,047	8,091	21,680	63,517	2,835,090
Rhode Island	57,251	9,141	. . .	1,791	107,099	1,088	. . .	39,493	215,863
South Carolina	418,501	. . .	. . .	10,389	169,447	5,741	205	. . .	604,283
South Dakota	109,590	. . .	24,391	5,896	92,511	1,822	3,300	. . .	237,510
Tennessee	718,310	39	78,852	11,554	276,255	1,875	13,264	. . .	1,100,149
Texas	1,752,280	40,445	28,941	71,307	1,109,315	10,682	42,625	125,852	3,181,447
Utah	197,379	170	29,635	3,260	101,971	13,017	1,900	. . .	347,332
Vermont (c)	107,268	. . .	. . .	6,349	46,713	792	653	2,600	164,375
Virginia	953,726	93,387	326,080	51,395	319,256	2,771	54,072	. . .	1,800,687
Washington	746,923	64,659	. . .	32,250	404,874	21,493	27	9,816	1,280,042
West Virginia	305,045	38,656	68,101	24,029	131,625	1,533	52	93,607	662,648
Wisconsin	632,086	. . .	. . .	32,225	212,557	4,579	32,937	. . .	914,384
Wyoming	75,713	. . .	36,412	7,453	105,588	66,594	2,779	. . .	294,539
Dist. of Columbia	70,340	. . .	78,995	36	68,603	751	. . .	54,708	273,433

Source: Federal Highway Administration, U.S. Department of Transportation. Compiled for calendar year 1990 from reports of state authorities.

Note: Detail may not add to totals due to rounding.

Key:

. . . — Not applicable

(a) Toll receipts allocated for non-highway purposes are excluded.

(b) Par value of bonds issued and redeemed by refunding are excluded.

(c) 1990 state highway finance data not reported for Vermont. Estimated by Federal Highway Administration.

Table 8.13
STATE DISBURSEMENTS FOR HIGHWAYS: 1990
(In thousands of dollars)

	Capital outlay									
	Federal aid systems									
State or other jurisdiction	*Interstate*	*Other federal aid systems*	*Other roads & streets*	*Total*	*Maintenance & traffic services*	*Administration & highway police*	*Bond interest*	*Grants-in-aid to local governments*	*Bond retirement* (a)	*Total disbursements*
United States	$8,483,448	$14,975,693	$1,975,468	$26,254,131	$8,393,562	$7,530,757	$1,817,733	$7,926,890	$1,612,430	$53,535,503
Alabama	182,679	178,515	112,466	473,660	116,376	98,573	5,933	149,810	21,415	865,767
Alaska	30,705	102,733	11,064	144,502	115,569	35,130	5,287	11,454	23,664	335,606
Arizona	148,650	652,814	80,898	882,362	60,767	98,398	89,072	337,013	57,825	1,525,437
Arkansas	23,479	133,643	67,665	224,787	96,852	48,666	. . .	85,467	. . .	455,722
California	636,009	1,319,703	26,332	1,982,044	516,847	912,394	6,107	873,377	3,660	4,294,429
Colorado	203,603	179,639	25,913	409,155	107,168	56,590	. . .	140,952	. . .	713,865
Connecticut	333,818	471,912	8,395	814,125	83,900	72,524	124,896	29,891	78,367	1,203,703
Delaware	. . .	. . .	. . .	145,255(b)	38,087	65,101	32,372	3,000	31,583	315,398
Florida	237,281	621,204	87,671	946,156	184,005	186,429	107,407	225,582	27,751	1,677,330
Georgia	146,677	615,592	3,366	765,635	223,640	158,766	40,968	9,765	79,073	1,277,847
Hawaii	. . .	. . .	. . .	201,420(b)	17,431	21,889	10,765	33,009	12,915	297,429
Idaho	62,452	65,376	26,740	154,568	46,640	37,308	. . .	61,856	. . .	300,372
Illinois	428,888	911,919	40,018	1,380,825	291,118	358,642	113,545	417,861	82,893	2,644,884
Indiana	141,881	399,936	. . .	541,817	236,624	115,710	33,434	288,277	1,860	1,217,722
Iowa	64,481	262,864	. . .	327,345	119,861	83,077	. . .	338,251	. . .	868,534
Kansas	98,145	226,049	. . .	324,194	137,198	99,935	17,866	105,067	12,780	697,040
Kentucky	90,500	300,522	72,704	463,726	159,468	125,965	92,785	109,565	56,433	1,007,942
Louisiana	201,340	232,333	131,983	565,656	56,955	143,666	62,892	43,641	49,691	922,501
Maine	34,616	111,569	8,955	155,140	104,056	35,640	6,722	19,261	11,240	332,059
Maryland	396,674	329,926	. . .	726,600	150,254	202,490	40,329	327,673	17,040	1,464,386
Massachusetts	234,562	107,531	64,153	406,246	153,548	198,277	98,929	55,922	141,979	1,054,901
Michigan	358,790	126,058	5,810	490,658	135,130	303,560	19,157	566,609	11,066	1,526,180
Minnesota	268,163	258,657	80,976	607,796	126,427	127,635	9,316	343,397	13,637	1,228,208
Mississippi	. . .	. . .	. . .	326,628(b)	51,396	59,529	15,444	57,905	17,798	528,700
Missouri	86,391	245,075	51,382	382,848	201,892	179,552	. . .	173,103	. . .	937,395
Montana	38,435	129,611	32,288	200,334	46,207	23,540	10,041	22,353	. . .	302,475
Nebraska	38,355	181,770	14,259	234,384	47,969	36,580	. . .	129,942	. . .	448,875
Nevada	26,927	79,366	59,359	165,652	49,642	35,428	3,008	39,145	15,760	308,635
New Hampshire	43,023	36,161	5,956	85,140	83,583	102,112	15,649	429	11,679	298,592
New Jersey	399,528	278,355	68,030	745,913	288,498	392,460	292,620	19,389	91,762	1,830,642
New Mexico	89,808	142,654	5,828	238,290	59,222	61,805	503	44,507	4,305	408,632
New York	625,419	826,092	76,989	1,528,500	487,875	418,459	36,179	210,183	193,294	2,874,490
North Carolina	126,015	402,949	189,572	718,536	363,852	226,548	10,910	81,304	27,330	1,428,480
North Dakota	21,679	65,168	4,528	91,375	35,952	20,721	. . .	41,353	. . .	189,401
Ohio	291,495	443,014	37,064	771,573	270,351	353,922	22,740	777,363	74,900	2,270,849
Oklahoma	190,276	199,589	11,549	401,414	93,931	141,807	38,656	150,870	. . .	826,678
Oregon	118,022	166,257	30,150	314,429	114,941	70,705	6,031	249,371	9,620	765,097
Pennsylvania	567,626	671,716	26,827	1,266,169	665,055	314,388	171,200	264,622	203,375	2,884,809
Rhode Island	. . .	. . .	. . .	146,219(b)	25,818	20,823	6,041	90	14,784	213,775
South Carolina	92,104	189,852	19,141	301,097	158,893	105,416	. . .	19,876	. . .	585,282
South Dakota	18,922	107,635	17,234	143,791	33,609	28,575	. . .	26,330	. . .	232,305
Tennessee	160,627	368,026	69,213	597,866	204,531	132,271	1,642	228,538	8,820	1,173,668
Texas	472,484	1,220,883	104,144	1,797,511	570,196	508,069	39,761	82,658	2,760	3,000,955
Utah	86,650	108,350	1,088	196,088	56,557	49,114	. . .	52,927	. . .	354,686
Vermont (c)	12,849	49,529	9,422	71,800	39,713	26,892	1,984	19,879	4,715	164,983
Virginia	189,715	534,209	215,784	939,708	509,185	212,620	38,348	153,005	21,013	1,873,879
Washington	246,200	248,576	2,995	497,771	179,571	199,281	61,903	264,429	47,865	1,250,820
West Virginia	43,354	156,873	. . .	200,227	245,138	68,344	29,023	440	62,285	605,457
Wisconsin	55,620	377,162	28,186	460,968	138,810	102,529	20,874	230,102	25,308	978,591
Wyoming	81,754	96,668	17,416	195,838	58,792	31,899	. . .	10,077	. . .	296,606
Dist. of Columbia	36,777	41,658	21,955	100,390	34,462	21,003	77,394	. . .	40,185	273,434

Source: Federal Highway Administration, U.S. Department of Transportation. Compiled for calendar year 1990 from reports of state authorities.

Note: Detail may not add to totals due to rounding.

Key:

. . . — Not applicable

(a) Par value of bonds issued and redeemed by refunding are excluded.

(b) Segregation by federal-aid systems not identified by state.

(c) 1990 state highway finance data not reported for Vermont. Estimated by Federal Highway Administration.

Table 8.14
APPORTIONMENT OF FEDERAL-AID HIGHWAY FUNDS: FISCAL 1991
(In thousands of dollars)

State or other jurisdiction	*Highway systems funds*						*Highway safety programs* (c)	*Bridge replacement & rehabilitation funds*	*Total* (d)
	Consolidated primary (a)	*Rural secondary* (a)	*Urban system* (a)	*Interstate* (b)	*Interstate resurfacing* (b)	*Total*			
United States	$2,288,873 (e)	$581,376	$726,338	$2,754,287	$2,528,201	$8,879,075	$125,690	$1,363,435	$12,412,459
Alabama	40,961	11,990	9,412	67,881	48,243	178,487	2,265	28,966	216,489
Alaska	74,471	32,087	3,636	13,771	20,212	144,177	632	3,409	151,720
Arizona	31,061	9,708	9,393	13,771	55,420	119,353	1,536	3,409	166,011
Arkansas	29,028	10,849	4,439	13,771	27,011	85,098	1,517	17,879	139,540
California	166,621	24,343	92,083	339,475	249,040	871,573	10,755	44,388	1,058,814
Colorado	33,965	10,831	9,746	47,826	47,380	149,748	1,763	12,747	169,432
Connecticut	25,171	4,046	10,435	108,276	32,157	180,085	1,399	68,881	346,917
Delaware	11,272	2,909	3,636	13,771	12,647	44,235	632	3,893	50,328
Florida	76,058	15,213	34,691	94,890	93,651	314,503	4,743	24,028	502,550
Georgia	55,297	15,724	13,836	52,423	89,600	226,880	3,029	26,846	377,924
Hawaii	11,272	2,909	3,636	63,879	12,647	94,343	632	3,685	100,115
Idaho	18,336	7,228	3,636	13,771	22,669	65,640	856	3,409	72,701
Illinois	89,498	16,580	39,905	13,771	88,227	247,981	5,634	39,428	326,794
Indiana	52,389	13,614	14,452	13,771	55,780	150,006	2,913	22,832	268,212
Iowa	34,176	12,205	6,615	13,771	36,527	103,294	2,044	25,053	144,583
Kansas	32,086	11,470	6,183	13,771	36,835	100,345	1,985	24,796	134,894
Kentucky	39,388	11,992	7,396	25,080	44,131	127,987	2,009	27,181	165,022
Louisiana	38,701	9,718	11,792	72,716	43,039	175,966	2,140	27,967	212,772
Maine	14,377	5,062	3,636	13,771	12,647	49,493	632	8,365	60,491
Maryland	33,865	5,763	14,306	87,268	42,109	183,311	1,910	16,823	244,486
Massachusetts	44,456	6,039	20,276	750,762	34,281	855,814	2,560	77,164	949,223
Michigan	82,341	17,323	27,419	31,273	83,682	242,038	4,627	30,042	325,540
Minnesota	43,280	14,299	10,996	15,577	48,634	132,786	2,642	17,128	160,747
Mississippi	31,617	10,598	4,637	13,771	30,711	91,334	1,573	19,278	141,830
Missouri	51,430	15,542	13,610	13,771	70,859	165,212	2,904	53,738	257,577
Montana	25,912	10,658	3,636	13,771	40,606	94,583	871	7,064	105,520
Nebraska	24,568	9,082	4,003	13,771	21,119	72,543	1,349	16,960	95,533
Nevada	18,805	7,050	3,636	13,771	22,605	65,867	670	3,409	71,851
New Hampshire	11,272	2,909	3,636	13,771	12,647	44,235	632	7,594	54,137
New Jersey	53,290	5,353	27,930	138,548	31,884	257,005	3,215	61,153	364,533
New Mexico	25,601	9,606	3,825	13,771	41,513	94,316	949	4,413	102,373
New York	134,318	17,639	62,930	13,771	87,787	316,445	7,893	136,344	674,091
North Carolina	64,509	18,178	11,267	44,111	47,640	185,705	3,089	27,500	324,255
North Dakota	17,041	6,897	3,636	13,771	19,918	61,263	935	4,926	71,407
Ohio	93,516	18,479	33,210	45,301	100,496	291,002	5,207	41,726	432,659
Oklahoma	33,835	11,452	8,092	13,771	35,111	102,261	2,082	29,138	181,358
Oregon	29,614	9,962	7,231	27,629	38,233	112,669	1,796	7,903	146,896
Pennsylvania	107,452	22,011	34,125	126,092	63,400	353,080	5,656	122,903	497,240
Rhode Island	11,272	2,909	3,636	13,771	12,647	44,235	632	3,409	114,573
South Carolina	32,848	9,366	6,680	13,771	42,789	105,454	1,750	10,593	151,102
South Dakota	18,345	7,522	3,636	13,771	24,484	67,758	858	6,507	78,150
Tennessee	47,429	13,692	11,367	13,771	64,693	150,952	2,493	34,758	222,018
Texas	131,840	36,755	46,968	93,509	189,899	498,971	8,079	51,647	779,920
Utah	19,531	6,429	5,112	13,771	40,667	85,510	920	3,409	92,541
Vermont	11,272	2,909	3,636	13,771	12,740	44,328	632	7,627	54,269
Virginia	49,712	13,096	14,733	19,173	72,305	169,021	2,665	30,635	269,475
Washington	39,498	10,119	12,597	64,189	55,489	181,892	2,289	33,849	224,603
West Virginia	23,631	7,434	3,636	13,771	20,766	69,238	1,050	37,858	111,473
Wisconsin	47,332	13,294	12,245	13,771	34,515	121,157	2,740	23,312	213,574
Wyoming	17,148	6,999	3,636	13,771	32,080	73,634	632	3,409	79,650
Dist. of Columbia	11,272	. . .	3,636	39,037	12,647	66,592	632	9,505	92,914
American Samoa	. . .	. . .	. . .	. . .	. . .	. . .	316	. . .	730
Guam	. .	. . .	. . .	. . .	. . .	. . .	316	. . .	730
No. Mariana Islands	. . .	. . .	. . .	. . .	. . .	. . .	316	. . .	730
Puerto Rico	26,884	3,533	7,858	. . .	11,383	49,658	1,382	4,548	58,696
U.S. Virgin Islands	. . .	. . .	. . .	. . .	. . .	. . .	316	. . .	730

Source: Federal Highway Administration, U.S. Department of Transportation (1991).

Note: Detail may not add to totals due to rounding.

(a) Apportioned pursuant to the Surface Transportation and Uniform Relocation Assistance Act of 1987. Does not include funds from the mass transit account of the highway trust fund.

(b) For fiscal 1992, resurfacing, rehabilitation, restoration and reconstruction.

(c) Includes $9.9 million administered by the Federal Highway Administration and $116.4 administered by the National Highway Traffic Safety Administration. Does not include $4.5 million set aside for commercial vehicle driver licensing programs.

(d) Does not include funds from the following programs: emergency relief, forest highways, public lands highways, parkways and park highways, Indian reservation roads, interstate and interstate 4-R discretionary, bridge discretionary, truck and bus safety grants, allocated interstate highway substitute or section 149 demonstration funds. These funds are allocated from the highway trust fund.

(e) Does not include $11.3 million apportioned to the territories considered as one state.

Table 8.15
STATE MOTOR VEHICLE REGISTRATIONS: 1990

State or other jurisdiction	Automobiles (a)	Motorcycles (a)	Buses (a,b)	Trucks (a)	Total registrations		Percentage change
					1989	1990	
United States	143,549,627	4,259,462	626,987	44,478,848	187,260,547	188,655,462	0.7
Alabama	2,733,066	43,871	8,234	1,003,191	3,623,204	3,744,491	3.3
Alaska	302,121	11,541	2,144	173,060	363,743	477,325	31.2
Arizona	2,001,736	79,554	4,399	818,977	2,775,270	2,825,112	1.8
Arkansas	934,337	14,556	5,179	508,144	1,433,068	1,447,660	1.0
California	16,971,853	640,554	40,127	4,913,898	21,671,133	21,925,878	1.2
Colorado	2,300,119	108,433	5,526	849,726	3,153,838	3,155,371	0.0
Connecticut	2,471,504	51,443	8,716	142,746 (c)	2,651,143	2,622,966	-1.1
Delaware	406,240	8,867	2,204	117,645	521,591	526,089	0.9
Florida	8,694,852	205,827	36,846	2,218,108	11,206,904	10,949,806	-2.3
Georgia	3,833,915	74,463	14,377	1,640,852	5,270,487	5,489,144	4.1
Hawaii	671,926	20,424	4,251	95,301	736,393	771,478	4.8
Idaho	636,250	41,974	3,825	413,463	1,039,045	1,053,538	1.4
Illinois	6,299,676	179,962	17,099	1,556,414	8,021,695	7,873,189	-1.9
Indiana	3,196,573	96,712	21,493	1,147,694	4,322,302	4,365,760	1.0
Iowa	1,880,368	173,367	9,077	742,528	2,583,270	2,631,973	1.9
Kansas	1,404,743	75,696	3,771	603,839	1,986,647	2,012,353	1.3
Kentucky	1,915,091	34,509	10,027	984,290	2,843,033	2,909,408	2.3
Louisiana	1,998,158	30,065	19,866	976,739	2,978,097	2,994,763	0.6
Maine	741,797	37,795	2,876	231,937	939,301	976,610	4.0
Maryland	2,970,320	56,124	10,937	625,263	3,527,427	3,606,520	2.2
Massachusetts	3,223,859	55,730	10,940	490,999	3,804,458	3,725,798	-2.1
Michigan	5,612,877	176,524	22,865	1,573,475	7,138,583	7,209,217	1.0
Minnesota	2,741,763	122,476	14,488	751,686	3,283,292	3,507,937	6.8
Mississippi	1,434,111	26,090	8,675	432,659	1,867,081	1,875,445	0.4
Missouri	2,759,818	67,751	11,863	1,132,998	3,843,982	3,904,679	1.6
Montana	457,263	21,994	2,355	323,535	741,197	783,153	5.7
Nebraska	912,688	22,105	5,026	466,132	1,361,724	1,383,846	1.6
Nevada	592,118	19,257	1,757	259,569	825,723	853,444	3.4
New Hampshire	751,347	39,533	1,675	192,721 (c)	935,642	945,743	1.1
New Jersey	5,179,511	86,439	18,004	454,867 (c)	5,636,330	5,652,382	0.3
New Mexico	806,207	33,464	3,415	491,639	1,294,521	1,301,261	0.5
New York	8,831,316	197,935	32,456	1,332,381 (c)	10,020,539	10,196,153	1.8
North Carolina	3,676,785	57,079	34,560	1,450,660	5,113,224	5,162,005	1.0
North Dakota	371,543	20,176	2,161	256,135	636,195	629,839	-1.0
Ohio	6,817,973	228,408	30,681	1,561,812	9,513,918	8,410,466	-11.6
Oklahoma	1,710,717	60,838	13,197	925,137	2,568,454	2,649,051	3.1
Oregon	1,838,995	64,088	10,612	595,880	2,378,751	2,445,487	2.8
Pennsylvania	6,384,121	173,301	30,841	1,556,508 (c)	7,909,379	7,971,470	0.8
Rhode Island	563,333	23,605	1,607	106,867 (c)	670,576	671,807	0.2
South Carolina	1,877,508	31,087	13,829	628,400	2,468,940	2,519,737	2.1
South Dakota	424,785	29,959	2,063	276,938	705,386	703,786	-0.2
Tennessee	3,552,828	80,478	13,867	877,413	4,315,702	4,444,108	3.0
Texas	8,714,154	174,334	61,286	4,024,375	12,564,555	12,799,815	1.9
Utah	789,347	28,172	1,164	415,006	1,174,861	1,205,517	2.6
Vermont	341,552	17,590	1,431	118,813	461,604	461,796	0.0
Virginia	3,775,728	61,884	16,810	1,145,524	4,859,728	4,938,062	1.6
Washington	2,979,369	119,318	7,064	1,270,433	4,090,130	4,256,866	4.1
West Virginia	752,762	22,138	3,783	468,402	1,213,950	1,224,947	0.9
Wisconsin	2,756,994	189,102	12,312	902,553	3,471,008	3,671,859	5.8
Wyoming	308,731	20,310	2,413	217,277	486,589	528,421	8.6
Dist. of Columbia	244,879	2,560	2,813	14,239	258,934	261,931	1.2

Source: Federal Highway Administration, U.S. Department of Transportation (1991). Compiled for the calendar year ending December 31, 1990 from reports of state authorities.

Note: Where the registration year is not more than one month removed from the calendar year, registration-year data are given. Where the registration year is more than one month removed, registrations are given for the calendar year.

(a) Includes federal, state, county and municipal vehicles. Vehicles owned by the military services are not included.

(b) The numbers of private and commercial buses given here are estimates by the Federal Highway Administration of the numbers in operation, rather than the registration counts of the states.

(c) The following farm trucks, registered at a nominal fee and restricted to use in the vicinity of the owner's farm are not included in this table: Connecticut, 7,743; New Hampshire, 3,162; New Jersey, 5,730; New York, 25,872; Pennsylvania, 22,409; and Rhode Island, 1,010.

Table 8.16
MOTOR VEHICLE OPERATORS AND CHAUFFEURS LICENSES: 1990

State or other jurisdiction	Operators licenses			Chauffeurs licenses			Estimated total licenses in force during 1990 (in thousands)
	Years for which issued	Renewal date	Amount of fee	Years for which issued	Renewal date	Amount of fee	
Alabama	4	Birthday	$15.00 (a)				2,753
Alaska	5	Birthday	10.00				314
Arizona*	4	Birthday	7.00	4	Birthday	$12.50	2,393
Arkansas*	4	Birthday	14.25	2 and 4	Birth month	11.00 and 21.00	1,722
California*	4	Birthday	10.00				19,846
Colorado*	5	Birthday	15.00				2,043
Connecticut*	2 and 4	Birthday	31.00 (a,b)				2,214
Delaware*	5	Birthday	12.50				485
Florida	4 or 6 (c)	Birthday	15.00 (c)	4 or 6 (c)	Birthday	15.00 (c)	9,231
Georgia*	4	Birthday	4.50				4,478
Hawaii*	2 and 4 (d)	Birthday	(d)				678
Idaho	3	Birthday	19.50				704
Illinois*	4 and 5 (e)	Issuance	10.00 (e)				7,295
Indiana	3 and 4 (f)	Birth month	6.00 (f)	4	Birth month	8.00	3,601
Iowa*	2 and 4 (f)	Birthday	16.00	2 and 4	Birthday	16.00 and 32.00	1,872
Kansas*	4	Birthday	8.00 - 12.00 (a)				1,715
Kentucky	4	Birth month	8.00	4	Birth month	8.00	2,402
Louisiana*	2 and 4 (f)	Birthday	18.00 (f)	2 and 4	Birthday	33.00, 35.00	2,575
Maine*	4	Birthday	18.00				887
Maryland*	4	Birthday	6.00 (b)				3,362
Massachusetts*	4	Birthday	35.00 (a)				4,229
Michigan*	2 and 4 (g)	Birthday	12.00 (g)	2 and 4	Birthday	10.00 and 20.00	6,440
Minnesota*	4	Birthday	15.00				2,529
Mississippi	4	Birth month	13.00				1,885
Missouri	3	Issuance	7.50	3	Issuance	15.00	3,688
Montana	4	Birthday	16.00 - 24.00				604
Nebraska*	4 (h)	Birthday	10.00 (h)				1,089
Nevada*	4	Birthday	9.00 (f)				846
New Hampshire*	4	Birthday	30.00				843
New Jersey*	4	Issuance	16.00 - 17.50				5,585
New Mexico*	4 (f)	30 days after Birthday	10.00 (f)	4	30 days after Birthday	10.00	1,074
New York*	4	Birthday	17.50				10,254
North Carolina*	4	Birthday	15.00				4,551
North Dakota*	4	Birthday	10.00				425
Ohio	4	Birthday	5.00 (i)				7,427
Oklahoma	2 and 4	Birth month	7.00 and 14.00 (b)	2 and 4	Birth month	11.00 and 22.00 (b)	2,278
Oregon*	4	Birthday	15.00 (b)				2,212
Pennsylvania*	2 and 4 (f)	Birth month	22.00 (f)				7,899
Rhode Island*	5 (j)	Birthday	30.00 (a,j)	5	Birthday	30.00	671
South Carolina*	4	Birthday	10.00 (a)				2,373
South Dakota*	4	Birthday	6.00				492
Tennessee	4	Bithday	14.00 - 16.00	4	Birthday	14.00	3,334
Texas*	4	Birthday	16.00				11,137
Utah*	4	Birthday	10.00				1,046
Vermont	2 and 4	Birthday	12.00 and 20.00 (a)				412
Virginia*	5	Birth month	12.00				4,389
Washington*	4	Birthday	14.00 (a)				3,377
West Virginia	4	Issuance	10.00	4	Issuance	15.00	1,284
Wisconsin	4	Birthday	9.00 (a)	1	Birthday	8.00 (a)	3,328
Wyoming*	4	Birthday	5.00 (b)				336
Dist. of Columbia*	4	Issuance	15.00				412

Sources: American Automobile Association, *Digest of Motor Laws* (1991); U.S. Department of Transportation, Federal Highway Administration, *Highway Statistics 1990*. Status of requirements as of December 31, 1990.

Key:

* — Classified driver's licenses are issued; permit qualified persons to operate specified vehicles on the public highways.

(a) The following examination fees are in addition to the fee shown for a license: Alabama, Rhode Island and Wisconsin—$5; Connecticut—$23; Kansas—$3; Massachusetts—$20; South Carolina—$2; Vermont—written examination fee for first examination - $15, $10 for each additional examination; Washington—$7.

(b) Fee for original license: Connecticut—$24.75 to $38; Maryland—$20; Oklahoma—$18 for operators and $26 for chauffeurs; Oregon—$25; Wyoming—$10.

(c) Original license is $19. Renewal fee is $15 for six years if no moving violation convictions within past three years.

(d) Licenses issued for two years to persons 15-24 years and 65 years and over. Fee for two-year licenses: $4.25 to $6; four-year licenses: $3 to $12.

(e) $5 for persons 65-80 years; $2 for two-year license for persons 81-86; no cost for one-year license for persons 87 and older.

(f) Indiana—$3 for three-year renewal license for persons 75 years and older; Iowa—$8 for two-year license for persons under 18 or over 70; Louisiana—$9 for two-year license for persons over 70 years; Nevada—$4 for original or renewal license for persons 65 and over; New Mexico—persons 75 and over renew annually at no charge; Pennsylvania—$12 for two-year license for persons 65 years and over.

(g) Persons with unsatisfactory driving records renew for two-year term at $6.

(h) Original license expires on licensee's birthday in the first year after issuance that licensee's age is divisible by four. Fees: $3.50 for one year; $5.50 for two years; $8 for three years.

(i) A $1.50 issuance fee and $1.00 eye exam fee are charged for licenses and permits.

(j) First license is for two years at $12.

Table 8.17
MOTOR VEHICLE LAWS
(As of 1991)

State or other jurisdiction	*Minimum age for driver's license* (a)			Liability laws (b)	Vehicle inspection (c)	Transfer of plates to new owner	Child restraints mandatory for passengers under ____ years (d)	Mandatory seat belt law (e)
	Regular	Learner's	Restrictive					
Alabama	16	15 (f)	14 (g)	S	(h)	★	6	. . .
Alaska	16	14 (i)	14 (i)	S	spot	★	7	★
Arizona	18	15 + 7 mo. (f,i)	16 (i)	C	(j)	★	5	★
Arkansas	16	(f)	14 (i,k)	S,NF	★	. . .	6	. . .
California	18	15 (k,l)	16 (l)	(m)	(j)	★	5 (n)	★ (o)
Colorado	21	15 + 6 mo. (f,p)	16 (i)	S,NF	(j)	. . .	4 (n)	★
Connecticut	18	(q)	16 (l)	S,NF	★	. . .	4	★
Delaware	18	15 + 10 mo. (f,k,l)	16 (l)	S,NF	★	★	5 (n)	. . .
Florida	16	(f)	15 (i)	(r)	(j)	. . .	6	★
Georgia	21	15	16 (i)	C	(j)	★	4	★
Hawaii	18	(f)	15 (i)	S,NF	★	★	4	★
Idaho	16	(f)	14 (l)	S,C	. . .	. . .	4	★
Illinois	18	(f)	16 (i,l)	S	(s)	. . .	5	★
Indiana	18	15 (k,l,p)	16 + 1 mo. (i,l)	S,C	(j)	. . .	5	★
Iowa	18	14 (l)	16 (l)	S	spot	. . .	3	★
Kansas	16		14 (k)	NF,UM	spot	. . .	4	★
Kentucky	18	(f)	16 (i)	C,NF	. . .	★	(n)	. . .
Louisiana	17		15 (i,t)	C	★	★	5	★
Maine	17	(f,k)	16 (l)	S	★	. . .	5	(o)
Maryland	18	15 + 9 mo. (f,k)	16 (i,l,t)	NF	(u)	. . .	5	★
Massachusetts	18	16 (f)	16 + 6 mo. (i,l,t)	C,NF	★	. . .	5	(o)
Michigan	18	(f)	16 (i,l,v)	C,NF	spot	. . .	4	★
Minnesota	18	(f)	16 (l)	NF	spot (h)	★	4	★ (o)
Mississippi	15	(f)		S,F	★	. . .	2	★
Missouri	16		15 (p)	C	★	. . .	4	★
Montana	18	(f)	15 (i,l)	C	. . .	. . .	4 (n)	★
Nebraska	16	15 (f,k)	(v)	F	. . .	. . .	4 (n)	. . .
Nevada	18	15 + 6 mo.	16 (i)	F,C	(u)	. . .	5	★ (o)
New Hampshire	18	(q)	16 (l)	S,F	★	. . .	12	. . .
New Jersey	17	(k)	(v)	S,NF,UJ	★	. . .	5	★ (o)
New Mexico	16	15 (k)	15 (i,l)	S,UM	. . .	. . .	11	★
New York	18	(f,k)	16 (i,t)	S,C,NF	★	. . .	4	★ (o)
North Carolina	18	15 (k,l)		S,C	★	. . .	7	★
North Dakota	16	(f)	14 (l)	S,NF,UM,UJ	spot	★	6	. . .
Ohio	18 (w)	(k)	(v)	S,C	(j)	. . .	4 (n)	★
Oklahoma	16	(p)	15 + 6 mo. (l)	S,C	★	★	6	★
Oregon	16	15 (f)	(v)	F,C,NF	spot (j)	★	16	★ (o)
Pennsylvania	18	(f,k)	16 (i,t)	C	★ (j)	. . .	4	★
Rhode Island	18	(f)	16 (l)	S	★	. . .	14	. . .
South Carolina	16	15 (k)	15	C,NF,UM	★	. . .	6	★ (o)
South Dakota	16	14 (k)	14 (t)	F,UM	. . .	★	5	. . .
Tennessee	16	15		S,F	(h)	. . .	4	★
Texas	18	15 (k,p)	16 (l,v)	S,F,C,UM	★	★	2	★
Utah	16 (l)	(f)		S,NF	★	. . .	8	★
Vermont	18	15 (k)	16 (k)	S	★	. . .	5	(o)
Virginia	18	15 + 8 mo. (f,i,k)	16 (i,l)	S	★	. . .	5	★
Washington	18	15 (f,p)	16 (l)	S,F	(j)	★	5	★ (o)
West Virginia	18	(f)	16 (i)	S,C	★	. . .	9	. . .
Wisconsin	18	(f)	16 (l)	S	spot	. . .	4	★ (o)
Wyoming	18	15 (k)	16 (i)	S,C	. . .	. . .	3	★
Dist. of Columbia	18	(f)	16 (i)	NF	★	. . .	7	★ (o)
American Samoa	18	(f,k)	16 (i,l)	C	★	★	. . .	. . .
Guam	18	15 (i,k)	16 (i)	S	★	. . .	12	★
Puerto Rico	18	(f)	16 (i)	(x)	★	★	. . .	★
U.S. Virgin Islands	18		16 (l)	C	★	★	. . .	. . .

MOTOR VEHICLE LAWS—Continued

Source: American Automobile Association, *Digest of Motor Laws,* (1991).

Note: All jurisdictions except Guam have chemical test laws for intoxication. All except the District of Columbia have an implied consent provision. (Colorado has expressed consent law).

Key:

★ —Provision.

. . . — No provision.

(a) See Table 8.16, "Motor Vehicle Operators and Chauffeurs Licenses 1990" for additional information on driver licenses.

(b) All jurisdictions except Colorado, Hawaii, District of Columbia, American Samoa, Guam, Puerto Rico and the U.S. Virgin Islands have a non-resident service of process law. Alabama, Arkansas, California, Georgia, Illinois (applicable to hitchhikers only), New Mexico, Oregon, Texas, Utah, Virginia, Wyoming and the U.S. Virgin Islands each have a guest suit law.

In this column only: S—"Security-type" financial responsibility law (following accident report, each driver/owner of the vehicles involved must show ability to pay damages which may be charged in subsequent legal actions arising from accident); F—"Future-proof type" financial responsibility law (persons who have been convicted of certain serious traffic offenses or who have failed to pay a judgment against them for damages arising from an accident must make a similar showing of financial responsibility); C—"Compulsory insurance" law (motorists must show proof of financial responsibility—liability insurance—usually as a condition of vehicle registration); NF—"No-fault insurance" law (vehicle owner looks to own insurance company for reimbursement for accident damages, rather than having to prove in court that the other party was responsible); UJ—"Unsatisfied judgment funds" law (state-operated funds financed with fees from motorists unable to provide evidence of insurance or from assessments levied on auto insurance companies to cover pedestrians and others who do not have no-fault insurance); UM—"Uninsured motorist" law (insurance companies must offer coverage against potential damage by uninsured motorists).

(c) "Spot" indicates spot check, usually for reasonable cause, or random roadside inspection for defective or missing equipment.

(d) The type of child restraint (safety seat or seat belt) required may differ depending upon the age of the child.

(e) These states have enacted mandatory seat belt legislation. Unless otherwise specified, legislation covers driver and front-seat passengers.

(f) Permit required. In Arkansas, for 30 days prior to taking driving test. In Delaware, for up to two months prior to 16th birthday. In Michigan, for 30 days prior to application for first license. In Minnesota, not required if driver can pass road test. In Oregon, not required if applicant can already drive.

(g) Restricted to mopeds.

(h) Cities have authority to maintain inspection stations. In Alabama, state troopers also authorized to inspect at their discretion.

(i) Guardian or parental consent required.

(j) Emission inspections. In Arizona, Colorado, Florida, Georgia, Indiana, Ohio, Pennsylvania and Washington, mandatory annual emission inspections in certain counties. In California, biennial inspections are required in portions of counties which do not meet federal clean air standards. In Oregon, biennial inspections in Portland metro area and Jackson County. In Washington, also other checks (e.g., out-of-state vehicles, salvaged).

(k) Driver must be accompanied by licensed operator. In California and Vermont (learner's permit), a licensed operator 25 years or older. In Kansas, may drive to school or work without licensed operator. In Maine, New York, Texas, Vermont (restrictive license), Virginia and Wyoming, a licensed operator 18 years or older. In Maryland, individual, 21 years or older, licensed to drive vehicle of that class, and licensed for 3 or more years. In Nebraska, a licensed operator 19 years or older. In New Jersey, an individual licensed for same classification as the learner's permit. In Pennsylvania, a licensed operator 18 years or older, licensed in same or equivalent class as learner. In South Carolina, a licensed operator 21 years or older. In American Samoa, must be accompanied by parent, legal guardian, or safety instructor. In Guam, must be accompanied by parent or legal guardian.

(l) Must have successfully completed approved driver education course.

(m) Financial responsibility required of every driver/owner of motor vehicle at all times.

(n) Other restrictions. In California, Colorado, Montana, Nebraska and Ohio, age restriction or child under 40 pounds. In Delaware, age restriction and under 40 pounds. In Kentucky, 40 inches in height or under.

(o) Covers other passengers in vehicle. California, Nevada, Oregon, South Carolina, Washington, Wisconsin and District of Columbia, all passengers. Maine, passengers between 4-15 years. Massachusetts, passengers between 5-12 years. In Minnesota, driver, front seat passengers, and anyone under 11. New Jersey, driver responsible for all passengers between 5 and 18 years. New York, all back seat occupants under 10 years and over 4 years, as well as all front-seat occupants. In Vermont, required for passengers age 5 through 12.

(p) Must be enrolled in driver education course. In Colorado, if not in such course, wait until 15 + 9 mo.; in Washington, 15 + 6 mo.

(q) Required for motorcyclists only. In New Hampshire, otherwise, unlicensed persons who are being taught to drive must be accompanied by licensed operator 25 years or older.

(r) Proof of personal injury protection is required. In event of an accident in which operator is charged with a moving violation, the operator must prove liability insurance in force on date of accident.

(s) Trucks, buses and trailers only. Required for vehicle owners in certain counties.

(t) Driving hours restricted. In Louisiana, drivers under 17 not permitted to operate vehicles between hours of 11 p.m. and 5 a.m. Monday through Thursday; between midnight and 5 a.m. Friday through Sunday. In Maryland, drivers prohibited from driving between midnight and 5 a.m. unless accompanied by licensed driver 21 years or older. In Massachusetts, drivers prohibited from driving between 1 a.m. and 4 a.m., unless accompanied by parent or legal guardian. In New York, drivers 16-17 years old are restricted from driving between 8 p.m. and 5 a.m. (may not drive in New York City at any time). In Pennsylvania, drivers prohibited from driving between midnight and 5 a.m., unless accompanied by parent or spouse 18 years or older or in possession of employer's affidavit. In South Dakota, driver not permitted to operate vehicle between 8 p.m. and 6 a.m., unless accompanied by licensed driver in front seat.

(u) Mandatory inspection only under certain circumstances. In Maryland, all used cars upon resale or transfer. In Nevada, used cars registered to new owner and emissions test for first-time registration in Clark and Washoe counties.

(v) License will be granted at lower age under special conditions. In Michigan (extenuating circumstances), 14. In Nebraska (school permit), 14. In New Jersey (agriculture pursuit), 16. In Ohio (proof of hardship), 14. In Oregon, (special conditions), 14. In Texas (proof of hardship), 15.

(w) Probationary license issued to persons 16-18 upon completion of approved driver education course.

(x) Has financial responsibility law; details not available.

GENERAL REVENUE OF PUBLIC SCHOOL SYSTEMS, BY SOURCE: 1988-1989—Continued

		Intergovernmental					*From own sources*					
				From state						*Current charges*		
State or other jurisdiction	*Total* (a)	*Total*	*Directly from federal government*	*Federal aid distributed by state*	*Other*	*From other local governments*	*Total*	*Taxes*	*Parent government contributions*	*School lunch*	*Other*	*Other*
South Dakota	467,801	173,754	22,424	26,086	117,822	7,422	294,047	254,680	0	10,766	2,973	25,628
Tennessee	2,602,399	1,539,521	9,359	222,865	1,078,825	228,472	887,256	0	759,704	60,548	9,848	57,156
Texas	12,915,780	5,835,777	72,000	829,503	4,919,895	14,379	6,399,240	5,588,587	0	285,929	99,260	425,464
Utah	1,214,703	765,279	14,054	68,361	682,864	0	449,424	370,130	0	26,324	4,773	48,197
Vermont	519,819	194,942	2,517	21,978	170,111	336	305,877	279,697	0	7,465	3,653	15,062
Virginia	4,665,495	2,253,691	33,739	218,010	2,001,135	807	2,411,804	0	2,273,407	83,288	22,493	32,616
Washington	3,688,616	2,811,485	56,664	156,623	2,597,308	890	877,131	612,181	0	51,153	103,532	110,265
West Virginia	1,287,301	820,414	3,608	97,263	718,867	676	355,400	298,849	0	19,317	3,786	33,448
Wisconsin	3,935,025	1,906,116	11,494	142,493	1,712,666	39,463	2,028,909	1,823,928	0	58,124	24,386	122,471
Wyoming	566,418	350,312	8,442	17,609	280,236	44,025	216,106	178,739	0	8,326	11,268	17,773
Dist. of Columbia	520,192	53,638	53,638	0	0	0	466,554	0	461,447	1,708	306	3,093

Source: U.S. Department of Commerce, Bureau of the Census, *Public Education Finances: 1988-89.*

Note: Detail may not add to totals due to rounding. Revenue from state sources for state dependent school systems is included as intergovernmental revenue from state rather than as parent government contributions.

(a) To avoid duplication, interschool system transactions are excluded.

(b) Revenues from charges and miscellaneous sources for Hawaii's state operated school system are included as local source revenue because these types of revenue appear under this category for the school systems in other states.

Table 8.10
SUMMARY OF STATE GOVERNMENT DIRECT EXPENDITURES FOR EDUCATION, BY STATE: 1988-89
(In thousands of dollars)

		Elementary and secondary					*Higher education*				
				Capital outlay					*Capital outlay*		
State	*Total* (a)	*Total*	*Current operation*	*Total*	*Construction*	*Other capital outlay*	*Total*	*Current operation*	*Total*	*Construction*	*Other capital outlay*
United States	$63,313,308	$1,417,044	$1,189,836	$227,208	$156,516	$70,692	$61,896,264	$50,080,446	$5,907,909	$3,221,336	$2,686,573
Alabama	1,396,253	34,698	28,436	6,262	6,262	0	1,361,555	1,085,167	138,194	64,135	74,059
Alaska	438,815	172,314	159,722	12,592	7,953	4,639	266,501	215,931	25,285	16,794	8,491
Arizona	1,019,495	0	0	0	0	0	1,019,495	858,359	80,568	49,943	30,625
Arkansas	543,377	0	0	0	0	0	543,377	500,321	21,528	4,477	17,051
California	6,928,690	112,478	112,478	0	0	0	6,816,212	5,876,174	470,019	236,612	233,407
Colorado	987,177	0	0	0	0	0	987,177	819,713	83,732	41,812	41,920
Connecticut	670,024	0	0	0	0	0	670,024	600,280	34,872	4,218	30,654
Delaware	310,657	0	0	0	0	0	310,657	286,337	12,160	6,014	6,146
Florida	1,836,458	0	0	0	0	0	1,836,458	1,287,402	274,528	109,033	165,495
Georgia	1,551,998	0	0	0	0	0	1,551,998	1,162,028	194,985	124,385	70,600
Hawaii	1,015,506	604,915	527,179	77,736	58,677	19,059	410,591	324,101	43,245	20,841	22,404
Idaho	272,998	0	0	0	0	0	272,998	215,614	28,692	18,770	9,922
Illinois	2,163,776	12,651	0	12,651	12,523	128	2,151,125	1,646,309	252,408	124,773	127,635
Indiana	1,869,409	0	0	0	0	0	1,869,409	1,429,259	220,075	101,894	118,181
Iowa	973,115	0	0	0	0	0	973,115	775,157	98,979	58,901	40,078
Kansas	763,386	27,803	27,476	327	1	326	735,583	590,447	72,568	37,927	34,641
Kentucky	1,041,129	0	0	0	0	0	1,041,129	822,159	109,485	53,121	56,364
Louisiana	1,016,991	21,237	21,237	0	0	0	995,754	872,750	61,502	8,309	53,193
Maine	339,201	5,004	4,773	231	57	174	334,197	301,099	16,549	3,325	13,224
Maryland	1,113,672	107,835	107,835	0	0	0	1,005,837	891,531	57,153	44,135	13,018
Massachusetts	1,324,077	0	0	0	0	0	1,324,077	1,042,493	140,792	93,629	47,163
Michigan	3,190,246	0	0	0	0	0	3,190,246	2,324,214	433,016	302,177	130,839
Minnesota	1,380,143	0	0	0	0	0	1,380,143	1,145,777	117,183	63,111	54,072
Mississippi	538,649	0	0	0	0	0	538,649	453,391	42,629	21,715	20,914
Missouri	909,864	0	0	0	0	0	909,864	809,270	50,297	18,843	31,454
Montana	171,185	0	0	0	0	0	171,185	150,117	10,534	2,203	8,331
Nebraska	493,651	0	0	0	0	0	493,651	397,461	48,095	24,109	23,986
Nevada	276,745	0	0	0	0	0	276,745	206,747	34,999	23,173	11,826
New Hampshire	235,764	0	0	0	0	0	235,764	215,910	9,927	8,501	1,426
New Jersey	1,742,218	0	0	0	0	0	1,742,218	1,223,002	259,608	193,064	66,544
New Mexico	587,350	0	0	0	0	0	587,350	515,900	35,725	16,712	19,013
New York	3,358,040	145	145	0	0	0	3,357,895	2,890,011	233,942	119,234	114,708
North Carolina	1,983,860	64,284	24,843	39,441	2,290	37,151	1,919,576	1,512,272	203,652	147,883	55,769
North Dakota	295,985	0	0	0	0	0	295,985	257,305	19,340	10,616	8,724
Ohio	2,901,316	0	0	0	0	0	2,901,316	2,289,676	305,820	160,223	145,597
Oklahoma	1,011,154	32,593	32,006	587	0	587	978,561	846,013	66,274	29,221	37,053
Oregon	731,284	0	0	0	0	0	731,284	559,828	85,728	45,871	39,857
Pennsylvania	1,726,836	20,424	0	20,424	20,424	0	1,706,412	1,374,750	165,831	85,142	80,689
Rhode Island	264,879	0	0	0	0	0	264,879	239,429	12,725	1,984	10,741
South Carolina	1,010,682	32,398	26,999	5,399	0	5,399	978,284	847,368	65,458	40,938	24,520

STATE GOVERNMENT DIRECT EXPENDITURES FOR EDUCATION—Continued

		Elementary and secondary					*Higher education*				
				Capital outlay					*Capital outlay*		
State	*Total* (a)	*Total*	*Current operation*	*Total*	*Construction*	*Other capital outlay*	*Total*	*Current operation*	*Total*	*Construction*	*Other capital outlay*
South Dakota	162,779	0	0	0	0	0	162,779	129,055	16,862	8,662	8,200
Tennessee	1,481,929	0	0	0	0	0	1,481,929	1,088,911	196,509	107,603	88,906
Texas	4,315,134	119,964	116,707	3,257	28	3,229	4,195,170	3,411,488	391,841	225,071	166,770
Utah	761,282	0	0	0	0	0	761,282	591,284	84,999	42,834	42,165
Vermont	243,277	0	0	0	0	0	243,277	206,539	18,369	7,590	10,779
Virginia	2,074,591	0	0	0	0	0	2,074,591	1,623,473	225,559	97,781	127,778
Washington	1,811,428	48,301	0	48,301	48,301	0	1,763,127	1,417,227	172,950	143,638	29,312
West Virginia	448,799	0	0	0	0	0	448,799	395,025	26,887	2,198	24,689
Wisconsin	1,483,087	0	0	0	0	0	1,483,087	1,238,057	122,515	42,136	80,379
Wyoming	144,947	0	0	0	0	0	144,947	118,315	13,316	6,055	7,261

Source: U.S. Department of Commerce, Bureau of the Census, *Public Education Finances: 1988-89.*
Note: Detail may not add to total due to rounding.

(a) To avoid duplication, interschool system transactions are excluded.

Table 8.18
STATE NO-FAULT MOTOR VEHICLE INSURANCE LAWS

State or other jurisdiction	*Purchase of first-party benefits*	*Minimum tort liability threshold* (a)	*Maximum first-party (no-fault) benefits*			
			Medical	*Income loss*	*Replacement services*	*Survivors/funeral benefits*
Arkansas	O	None	$5,000 if incurred within 2 yrs. of accident	70% of lost income up to $140/wk. beginning 8 days after accident, for for up to 52 wks.	Up to $70/wk. beginning 8 days after accident, for up to 52 wks.	$5,000 (if death occurs within one yr. of accident)
Colorado	M	$2,500 (b)	$50,000 if incurred within 5 yrs. (additional $50,000 for rehabilitation expenses incurred within 5 yrs. of accident)	100% of first $125/wk., 70% of next $125/wk., 60% of remainder up to $400/wk., for up to 52 wks.	Up to $25/day for up to 52 wks.	$1,000
Connecticut	M	$400 (b)	$5,000 overall max. on first-party benefits			
			Limited only by total benefits limit	85% of lost income up to $200/wk.	85% of replacement services up to $200/wk.	85% of actual loss for income and replacement services up to $200/wk. Funeral benefit: $2,000
Delaware	M	None, but amt. of no-fault benefits received cannot be used as evidence in suits for general damage	$15,000 per person, $30,000 per accident overall max. on first-party benefits			
			Limited only by total benefits limit, but must be incurred within 2 yrs. of accident	Limited only by total benefits limit, but must be incurred within 2 yrs. of accident	Limited only by total benefits limit, but must be incurred within 2 yrs. of accident	Funeral benefit: $3,000 (must be incurred within 2 yrs. of accident)
Florida	M	No dollar threshold (c)	$10,000 overall max. on first-party benefits			
			80% of all costs	60% of lost income	Limited only by total benefits limit	Funeral benefit: $5,000
Hawaii	M	$5,000 modified annually by percentage change in medical care category of CPI for Honolulu metro area (b)	$15,000 overall max. on first-party benefits			
			Limited only by total benefits limit	Up to $900/mo. for income loss and replacement services		Up to $900/mo. Funeral benefit: $1,500
Kansas	M	$2,000 (b)	$4,500 (additional $4,500 for rehabilitation)	Up to $900/mo. for one yr. (if benefits not subject to taxes, max. 85% of lost income)	$25/day for 365 days	Up to $900/mo. for lost income and replacement services for up to one yr., less disability payments received before death. Funeral benefit: $2,000
Kentucky	(d)	$1,000	$10,000 overall max. on first-party benefits			
			Limited only by total benefits limit	Up to $200/wk. (If not subject to taxes, benefits can be reduced max. 15%)	Up to $200/wk.	Up to $200/wk. each for survivors' economic loss and survivors' replacement services loss. Funeral benefit: $1,000
Maryland	M	None	$2,500 overall max. on first-party benefits for expenses incurred within 3 yrs. of accident			
			Limited only by total benefits limit	Limited only by total benefits limit	Limited only by total benefits limit; payable only to non-wage earners	Funeral benefit: limited only by total benefits limit
Massachusetts	M	$2,000 (b)	$8,000 overall max. on first-party benefits			
			Limited only by total benefits limit, if incurred within 2 yrs.	Up to 75% of lost income	Up to 75% of actual loss	Funeral benefit: limited only by total benefits limit

See footnotes at end of table.

STATE NO-FAULT MOTOR VEHICLE INSURANCE LAWS—Continued

<table>
<tr><th rowspan="2"><i>State or other jurisdiction</i></th><th rowspan="2"><i>Purchase of first-party benefits</i></th><th rowspan="2"><i>Minimum tort liability threshold</i> (a)</th><th colspan="4"><i>Maximum first-party (no-fault) benefits</i></th></tr>
<tr><th><i>Medical</i></th><th><i>Income loss</i></th><th><i>Replacement services</i></th><th><i>Survivors/funeral benefits</i></th></tr>
<tr><td>Michigan (e)</td><td>M</td><td>No dollar threshold (c)</td><td>Unlimited</td><td>Up to $1,475/30-day period for up to 3 yrs.; max. amt. adjusted annually for cost of living</td><td>$20/day for up to 3 yrs.</td><td>Up to $1,475/30-day period for lost income for up to 3 yrs. and $20/day for replacement services. Funeral benefits: not less than $1,750 nor more than $5,000</td></tr>
<tr><td rowspan="2">Minnesota</td><td rowspan="2">M</td><td rowspan="2">$4,000 (b)</td><td colspan="4">$20,000 max. for first-party benefits other than medical</td></tr>
<tr><td>$20,000</td><td>85% of lost income up to $250/wk.</td><td>$200/wk., beginning 8 days after accident</td><td>Up to $200/wk. ea. for survivors' economic loss and survivors' replacement services loss. Funeral benefit: $2,000</td></tr>
<tr><td>New Jersey</td><td>M</td><td>(f)</td><td>Max $250,000 Subject to $250 deductible and 20% co-insurance between $250 and $5,000</td><td>Up to $100/wk. for one yr.</td><td>Up to $12/day for a max. of $4,380/person</td><td>Max. amount of benefits victim would have received. Funeral benefit: $1,000</td></tr>
<tr><td rowspan="2">New York</td><td rowspan="2">M</td><td rowspan="2">No dollar threshold (c)</td><td colspan="4">$50,000 overall max. on first-party benefits</td></tr>
<tr><td>Limited only by total benefits limit</td><td>80% of lost income up to $2,000/mo. for up to 3 yrs.</td><td>$25/day for up to one yr.</td><td>$2,000 in addition to other benefits</td></tr>
<tr><td rowspan="2">North Dakota</td><td rowspan="2">M</td><td rowspan="2">$2,500 (c)</td><td colspan="4">$30,000 overall max. on first-party benefits</td></tr>
<tr><td>Limited only by total benefits limit</td><td>85% of lost income up to $150/wk.</td><td>Up to $15/day</td><td>Up to $150/wk. for survivors' income loss and $15/day for survivors' replacement services. Funeral benefit: $3,000</td></tr>
<tr><td>Oregon</td><td>M</td><td>None</td><td>$10,000</td><td>If victim is disabled at least 14 days, 70% of lost income up to $1,250/mo. for up to one year.</td><td>If victim is disabled at least 14 days up to $30/day for up to one yr. $15/day for child care, up to $450.</td><td>Funeral benefit: $2,500</td></tr>
<tr><td>Pennsylvania</td><td>M</td><td>(g)</td><td>$5,000</td><td>(h)</td><td>(h)</td><td>(h)</td></tr>
<tr><td rowspan="2">South Carolina</td><td rowspan="2">O</td><td rowspan="2">None</td><td colspan="4">$1,000 overall max. on first-party benefits</td></tr>
<tr><td>Limited only by total benefits limit if incurred within 3 yrs. of accident</td><td>Limited only by total benefits limit</td><td>Limited only by total benefits limit</td><td>Funeral benefit: limited only by total benefits limit</td></tr>
<tr><td>South Dakota</td><td>O</td><td>None</td><td>$2,000 if incurred within 2 yrs. of accident</td><td>$60/wk. for up to 52 wks. for disability extending beyond 14 days of date of accident</td><td>None</td><td>$10,000 if death occurs within 90 days of accident</td></tr>
<tr><td rowspan="2">Texas</td><td rowspan="2">O</td><td rowspan="2">None</td><td colspan="4">$2,500 overall max. on first-party benefits</td></tr>
<tr><td>Limited only by total benefits limit if incurred within 3 yrs. of accident</td><td>Limited only by total benefits limit if incurred within 3 yrs. of accident</td><td>Limited only by total benefits limit if incurred within 3 yrs. of accident. Payable only to non-wage earners</td><td>Limited only by total benefits limit if incurred within 3 yrs. of accident</td></tr>
<tr><td>Utah</td><td>M</td><td>$3,000 (b)</td><td>$3,000</td><td>85% of lost income up to $250/wk. for up to 52 wks., subject to 3-day waiting period which does not apply if disability lasts longer than 2 wks.</td><td>$20/day for up to 365 days subject to 3-day waiting period which does not apply if disability lasts longer than 2 wks.</td><td>$3,000 survivors benefit. Funeral benefit: $1,500</td></tr>
</table>

See footnotes at end of table.

STATE NO-FAULT MOTOR VEHICLE INSURANCE LAWS—Continued

State or other jurisdiction	*Purchase of first-party benefits*	*Minimum tort liability threshold* (a)	*Maximum first-party (no-fault) benefits*			
			Medical	*Income loss*	*Replacement services*	*Survivors/funeral benefits*
Virginia	O	None	$2,000 if incurred within one yr. of accident	Up to $100/wk. for max. 52 wks.	None	Funeral benefit: included in medical benefit
Dist. of Columbia	O	(i)	$50,000 or $100,000 (medical and rehabilitation)	$12,000 or $24,000	Max. of $24,000	Funeral benefit: $4,000

Source: State Farm Insurance Companies, *No Fault Press Reference Manual*.

Note: Information as of 1991.

Key:

O — Optional

M — Mandatory

(a) Refers to minimum amount of medical expenses necessary before victim can sue for general damages ("pain and suffering"). Lawsuits allowed in all states for injuries resulting in death and permanent disability. Some states allow lawsuits for one or more of the following: serious and permanent disfigurement, certain temporary disabilities, loss of body member, loss of certain bodily functions, certain fractures, or economic losses (other than medical) which exceed stated limits.

(b) Victim cannot recover unless economic loss exceeds amount *or* injury results in condition(s) cited in legislation (e.g., permanent disfigurement, disability, dismemberment, fractures, etc.).

(c) Victim cannot recover *unless* injury results in condition(s) cited in legislation (e.g., permanent disfigurement, disability, dismemberment, fractures, etc.). In North Dakota, specified dollar amount *and* conditions cited.

(d) Accident victim is not bound by tort restriction if (1) he has rejected the tort limitation in writing or (2) he is injured by a driver who has rejected the tort limitation in writing. Rejection bars recovery of first-party benefits.

(e) Liability for property damage for all states with no-fault insurance under the state tort system. Michigan has no tort liability for vehicle damage, except in cases where damage does not exceed $400.

(f) Motorist chooses one of two optional limitations.

(g) Motorist chooses between full-tort option, with no limit on general damages, and a limited-tort option.

(h) Optional coverages are available to $177,500 maximum, including income loss benefits, accidental death benefits, and funeral benefits, in addition to medical benefits. An extraordinary medical benefits coverage to maximum $1.1 million is available.

(i) If person chooses "personal injury protection" option, victims who are covered by no-fault benefits have up to 60 days after accident to decide whether to receive no-fault benefits. Victims who choose to get no-fault benefits cannot recover damages unless injury resulted in substantial permanent scarring or disfigurement; substantial and medically demonstrable permanent impairment which has significantly affected the victim's ability to perform professional activities or usual and customary daily activities; a medically demonstrable impairment that prevents victim from performing substantially all of his usual customary daily activities for more than 180 continuous days; or medical and rehabilitation expenses or work loss exceeding the amount of no-fault benefits available.

Table 8.19
TRENDS IN STATE PRISON POPULATION, 1989-90

				Population by maximum length of sentence						
	Total population			*More than a year*				*Year or less and unsentenced*		
State or other jurisdiction	*1990* (a)	*1989*	*Percentage change*	*1990* (a)	*1989*	*Percentage change*	*Incarceration rate 1990* (b)	*1990* (a)	*1989*	*Percentage change*
United States	771,243	712,557	8.2	739,763	680,955	8.6	293	31,480	31,602	−0.4
Alabama	15,665	13,907	12.6	15,365	13,575	13.2	370	300	332	−9.6
Alaska	2,622	2,744	−4.4	1,851	1,908	−3.0	348	771	836	−7.8
Arizona	14,261	13,251	7.6	13,781	12,726	8.3	375	480	525	−8.6
Arkansas	6,766	6,409	5.6	6,718	6,306	6.5	277	48	103	−53.4
California	97,309	87,297	11.5	94,122	84,338	11.6	311	3,187	2,959	7.7
Colorado	7,018	6,908	1.6	7,018 (c)	6,908 (c)	1.6	209	(c)	(c)	ND
Connecticut	10,500	9,301	12.9	7,771	6,309	23.2	238	2,729	2,992	−8.8
Delaware	3,506	3,458	1.4	2,231	2,284	−2.3	321	1,275	1,174	8.6
Florida	44,387	39,999	11.0	44,387	39,966	11.1	336	0	33	ND
Georgia	22,345	20,885	7.0	21,605	19,619	10.1	327	740	1,266	−41.5
Hawaii	2,533	2,464	2.8	1,708	1,752	−2.5	150	825	712	15.9
Idaho	2,074	1,850	12.1	2,074	1,850	12.1	201	0	0	ND
Illinois	27,516	24,712	11.3	27,516 (c)	24,712 (c)	11.3	234	(c)	(c)	ND
Indiana	12,732	12,341	3.2	12,615	12,220	3.2	223	117	121	−3.3
Iowa	3,967	3,584	10.7	3,967	3,584	10.7	139	0	0	ND
Kansas	5,777	5,616	2.9	5,777	5,616	2.9	227	0	0	ND
Kentucky	9,023	8,289	8.9	9,023	8,289	8.9	241	0	0	ND
Louisiana	18,599	17,257	7.8	18,599	17,257	7.8	427	0	0	ND
Maine	1,523	1,455	4.7	1,480	1,432	3.4	118	43	23	87.0
Maryland	17,798	16,514	7.8	16,684	15,378	8.5	347	1,114	1,136	−1.9
Massachusetts	8,273	7,524	10.0	7,899	7,268	8.7	132	374	256	46.1
Michigan	34,267	31,639	8.3	34,267	31,639	8.3	366	0	0	ND
Minnesota	3,176	3,103	2.4	3,176	3,103	2.4	72	0	0	ND
Mississippi	8,375	7,911	5.9	8,179	7,700	6.2	311	196	211	−7.1
Missouri	14,919	13,921	7.2	14,919	13,921	7.2	287	0	0	ND
Montana	1,425	1,328	7.3	1,409	1,328	6.1	174	16	0	ND
Nebraska	2,403	2,393	0.4	2,286	2,278	0.4	140	117	115	1.7
Nevada	5,322	5,112	4.1	5,322	5,112	4.1	444	0	0	ND
New Hampshire	1,342	1,166	15.1	1,342	1,166	15.1	117	0	0	ND
New Jersey	21,128	19,439	8.7	21,128	19,439	8.7	271	0	0	ND
New Mexico	2,961	2,934	1.0	2,879	2,759	4.3	184	82	175	−53.1
New York	54,895	51,227	7.2	54,895	51,227	7.2	304	0	0	ND
North Carolina	18,412	17,454	5.5	17,713	16,628	6.5	264	699	826	−15.4
North Dakota	483	451	7.1	435	404	7.7	67	48	47	2.1
Ohio	31,855	30,538	4.3	31,855 (c)	30,538 (c)	4.3	289	(c)	(c)	ND
Oklahoma	12,322	11,608	6.2	12,322 (c)	11,608 (c)	6.2	383	(c)	(c)	ND
Oregon	6,436	6,744	−4.6	6,436	6,744	−4.6	221	0	0	ND
Pennsylvania	22,290	20,469	8.9	22,281	20,458	8.9	183	9	11	−18.2
Rhode Island	2,394	2,479	−3.4	1,585	1,469	7.9	157	809	1,010	−19.9
South Carolina	17,319	15,720	10.2	16,208	14,808	9.5	451	1,111	912	21.8
South Dakota	1,345	1,252	7.4	1,345	1,252	7.4	187	0	0	ND
Tennessee	10,388	10,630	−2.3	10,388 (c)	10,630 (c)	−2.3	207	(c)	(c)	ND
Texas	50,042	44,022	13.7	50,042	44,022	13.7	290	0	0	ND
Utah	2,503	2,394	4.6	2,482	2,368	4.8	143	21	26	−19.2
Vermont	1,049	905	15.9	681	626	8.8	117	368	279	31.9
Virginia	17,319	16,477	5.1	17,124	16,273	5.2	274	195	204	−4.4
Washington	7,995	6,928	15.4	7,995	6,928	15.4	162	0	0	ND
West Virginia	1,565	1,536	1.9	1,565	1,536	1.9	85	0	0	ND
Wisconsin	7,362	6,788	8.5	7,335	6,775	8.3	149	27	13	107.7
Wyoming	1,110	1,016	9.3	1,110	1,016	9.3	237	0	0	ND
Dist. of Columbia	9,121	10,039	−9.1	6,660	6,735	−1.1	1,125	2,461	3,304	−25.5

Source: U..S. Department of Justice, Bureau of Justice Statistics, *Prisoners in 1990* (May 1991).

Key:

ND — Not defined

(a) Advance count of prisoners is conducted immediately after calendar year ends.

(b) The number of prisoners sentenced to more than one year per 100,000 resident population on December 31, 1990.

(c) Population counts include an undetermined number of inmates with a sentence of one year or less.

Table 8.20
ADULTS ADMITTED TO STATE PRISONS, 1980 AND 1989

State or other jurisdiction	*Admissions per 1,000 selected serious offenses*		*Admissions per 100,000 adults*	
	1980	*1989*	*1980*	*1989*
United States	25	62	80	172
Alabama	49	69	138	165
Alaska	42	136	115	262
Arizona	24	65	97	204
Arkansas	50	64	104	342
California	15	50	66	162
Colorado	16	48	55	111
Connecticut	37	106	105	242
Delaware	30	88	88	172
Florida	24	98	109	432
Georgia	49	74	156	251
Hawaii	9	14	28	32
Idaho	34	77	78	124
Illinois (a)	32	48	78	124
Indiana	37	64	88	119
Iowa	28	60	50	89
Kansas	26	56	69	121
Kentucky	47	70	86	112
Louisiana	31	50	100	157
Maine	28	65	54	81
Maryland	30	70	107	183
Massachusetts	8	28	26	62
Michigan	20	54	67	141
Minnesota	12	35	25	57
Mississippi	43	81	97	167
Missouri	24	65	74	153
Montana	34	52	55	57
Nebraska	35	61	56	85
Nevada	26	111	136	302
New Hampshire	14	44	30	53
New Jersey	14	54	49	113
New Mexico	17	39	53	136
New York	13	52	56	158
North Carolina	61	97	158	266
North Dakota	47	100	36	58
Ohio	45	96	97	193
Oklahoma	38	98	111	274
Oregon	27	54	83	139
Pennsylvania	17	45	33	64
Rhode Island	12	36	35	75
South Carolina	47	63	153	190
South Dakota	61	161	71	135
Tennessee	33	34	89	79
Texas	38	48	129	180
Utah	15	38	39	69
Vermont	32	71	77	110
Virginia	36	111	75	157
Washington	14	37	46	100
West Virginia	30	56	38	58
Wisconsin	26	54	46	70
Wyoming	38	83	71	104
Dist. of Columbia	36	69	213	366

Sources: National Prisoner Statistics, Uniform Crime Reports, and Bureau of Census estimates of population, as reported in U.S. Department of Justice, Bureau of Justice Statistics, *Prisoners in 1990* (May 1991).

Note: Prison admissions refer to the number of prisoners received from courts with sentences of more than one year. Selected offenses are murder, nonnegligent manslaughter, forcible rape, robbery, aggravated assault and burglary. Adults are the resident population age 18 and over.

(a) FBI estimated number of reported crimes in 1989.

Table 8.21
STATE PRISON CAPACITIES, 1990

State or other jurisdiction	Rated capacity	Operational capacity	Design capacity	Population as a percent of: (a)	
				Highest capacity	Lowest capacity
Alabama	13,782	13,782	13,782	107	107
Alaska	2,808	. . .	. . .	93	93
Arizona	. . .	13,884	. . .	103	103
Arkansas	. . .	6,535	. . .	92	92
California	. . .	. . .	52,698	185	185
Colorado	. . .	6,120	4,605	115	152
Connecticut	9,159	10,075	. . .	104	115
Delaware	2,915	3,138	2,015	112	174
Florida	50,645	45,237	34,826	88	128
Georgia	. . .	22,424	. . .	100	100
Hawaii	. . .	2,141	1,577	118	161
Idaho	. . .	1,845	1,586	104	121
Illinois	22,691	22,691	18,987	121	145
Indiana	10,861	. . .	. . .	117	117
Iowa	3,035	3,035	3,035	131	131
Kansas	. . .	5,405	. . .	107	107
Kentucky	8,051	7,866	. . .	103	106
Louisiana	14,697	14,697	14,697	96	96
Maine	1,193	1,193	1,193	127	127
Maryland	. . .	17,907	12,246	99	145
Massachusetts	. . .	. . .	4,864	170	170
Michigan	26,266	. . .	. . .	130	130
Minnesota	3,198	3,198	3,198	99	99
Mississippi	8,136	8,594	8,091	88	94
Missouri	14,822	14,893	. . .	100	101
Montana	1,079	1,407	1,079	101	132
Nebraska	. . .	. . .	1,666	144	144
Nevada	5,406	5,406	4,394	98	121
New Hampshire	1,268	1,492	1,112	90	121
New Jersey	. . .	. . .	13,383	137	137
New Mexico	3,225	3,596	3,225	82	92
New York	55,820	56,833	45,946	97	119
North Carolina	15,942	19,324	. . .	95	115
North Dakota	. . .	576	576	84	84
Ohio	. . .	. . .	20,598	155	155
Oklahoma	. . .	8,088	. . .	150	150
Oregon	. . .	6,170	. . .	103	103
Pennsylvania	. . .	. . .	14,338	156	156
Rhode Island	2,396	2,444	2,314	98	103
South Carolina	15,438	15,438	11,958	109	141
South Dakota	1,189	1,130	1,189	113	119
Tennessee	. . .	8,803	. . .	97	97
Texas (b)	49,325	46,859	49,325	94	100
Utah	. . .	2,911	3,032	83	86
Vermont	647	647	647	157	157
Virginia	13,537	13,537	13,537	111	111
Washington	5,411	6,446	6,446	124	148
West Virginia	1,700	1,565	1,850	85	100
Wisconsin	5,241	5,241	5,241	139	139
Wyoming	793	795	614	140	181
Dist. of Columbia	8,253	9,121	7,764	10[illegible]	117

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Prisoners in 1990* (May 1991).

Key:

. . . — Not available

(a) Excludes state-sentenced inmates who were held in local jails due to crowding and who were included in the total prisoner count.

(b) Excludes 2,743 inmates who resided in boot camps, private prisons or psychiatric facilities, and 726 male inmates in halfway houses.

Table 8.22
ADULTS ON PROBATION, 1990

State or other jurisdiction	Probation population 1/1/90	1990		Probation population 12/31/90	Percent change in probation population during 1990	Probation population (a)	
		Entries	*Exits*			*Under intensive supervision*	*Under electronic monitoring*
Alabama	25,519	14,251	12,084	27,686	8.5	705	91
Alaska	3,335	1,993	1,729	3,599	7.9	0	0
Arizona	27,340	11,978	8,921	30,397	11.2	2,232	127
Arkansas (b)	15,552	3,531	3,100	15,983	2.8	0	0
California (c)	284,437	173,883	152,620 (d)	305,700	7.5	DK	DK
Colorado (c)	28,037	22,310	19,2[illegible]6	31,111	11.0	1,015	248
Connecticut	42,842	28,738	24,940	46,640	8.9	160	6
Delaware (b)	9,701	6,393	3,871	12,223	26.0	951	93
Florida (c)	192,731	266,244	248,194	210,781	9.4	11,215	1,312
Georgia	125,147	76,042 (e)	66,349 (e)	134,840	7.7	2,820	0
Hawaii	10,960	6,442	5,735	11,667	6.5	22	6
Idaho	4,025	2,024	1,672	4,337	8.7	141	0
Illinois	93,944	58,870	57,115	95,699	1.9	660	DK
Indiana (c)	61,177	65,388	58,482 (f)	68,683	12.3	111	983
Iowa (b)	13,722	346	173	13,895	1.3	DK	DK
Kansas	21,675	12,683	12,175	22,183	2.3	(g)	(g)
Kentucky	8,062	3,030	3,610 (h)	7,482	-7.2	506	0
Lousiana	32,295	13,310	15,414	30,191	-6.5	50	6
Maine	6,851	4,698	4,000	7,549	10.2	95	10
Maryland	84,456	44,435	45,993 (i)	82,898	-1.8	151	0
Massachusetts (c)	88,529	44,486	60,556	72,459	-18.2	0	0
Michigan (b)	122,459	100,151	89,171	133,439	9.0	1,128	1,801
Minnesota	58,648	31,394	30,719	59,323	1.2	(g)	(g)
Mississippi (c)	7,333	3,138	2,250	8,221	12.1	244	0
Missouri (b,c)	44,158	25,000 (j)	26,836	42,322	-4.2	460	96
Montana	3,459	1,873	1,280	4,052	17.1	35	19
Nebraska	12,627	17,767	15,740	14,654	16.1	45	45
Nevada (b)	7,065	3,518	2,883	7,700	9.0	718	25
New Hampshire	2,991	1,775	1,620	3,146	5.2	25	10
New Jersey	64,398	33,540	25,597	72,341	12.3	572	263
New Mexico (c)	5,660	9,650	9,016 (k)	6,294	11.2	270	135
New York	136,686	47,656	39,076	145,266	6.3	3,400	DK
North Carolina	72,325	41,981	36,477	77,829	7.6	1,452	704
North Dakota	1,644	523	436	1,731	5.3	(g)	(g)
Ohio	78,299	59,049 (l)	53,968 (l)	83,380	6.5	2,341	358
Oklahoma (m)	24,240	12,565	12,394	24,411	0.7	(g)	(g)
Oregon (n)	31,878	15,742	9,989	37,631	18.0	1,033	380
Pennsylvania	89,491	46,111	38,275	97,327	8.8	10,400	200
Rhode Island	12,231	9,294	6,159	15,366	25.6	0	0
South Carolina	31,623	14,405	13,741	32,287	2.1	1,824	0
South Dakota (o)	2,757	3,995	3,592	3,160	14.6	50	0
Tennessee	30,906	21,925	20,112	32,719	5.9	735	280
Texas (p)	291,156	151,767	134,566	308,357	5.9	7,124	463
Utah	5,524	3,596	3,290 (q)	5,830	5.5	140	0
Vermont	5,399	3,144	2,631	5,912	9.5	230	0
Virginia (c)	19,085	11,951	9,733 (r)	21,303	11.6	327	0
Washington	74,918	54,791	44,892	84,817	13.2	1,996	50
West Virginia (b)	4,646	2,360 (s)	1,947	5,059	8.9	(g)	(g)
Wisconsin (c)	27,284	17,806	15,720	29,370	7.6	222	55
Wyoming	3,060	1,557	1,637 (t)	2,980	-2.6	17	17
Dist. of Columbia	10,132	8,070	8,460	9,742	-3.8	100	0

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Probation and Parole 1990* (November 1991).

Key:

DK — Number not known

(a) Estimated number. Counts of persons under intensive supervision reported by some states include persons under electronic monitoring. Some states were unable to provide separate counts of probation and parole populations under intensive supervision (see also Table 8.23, "Adults on Parole").

(b) State estimated all or portion of data. Michigan and Nevada estimated entries and exits.

(c) State omitted absconders from their Jan. 1 and Dec. 31, 1990 counts.

(d) Exits include 13,496 transfers of jurisdiction, deaths or loss of jurisdiction.

(e) Entries include 1,945 abandonment and bastardy cases, and interstate compact cases. Exits include 3,621 abandonment and bastardy cases, special termination, and transferred out-of-state cases. All data exclude probationers who have been sent to another state for supervision and include probationers that state supervises for other states.

(f) Exits include 1,435 intrastate transfers and 575 interstate transfers.

(g) State reported either not having persons under intensive supervision and electronic monitoring or not knowing their numbers.

(h) Exits include 13 dismissed cases.

(i) Exits include 4,875 unsatisfactory closings.

(j) Entries include 118 diversion cases without sentence.

(k) Exits include 1,108 closed semi-active cases and interarea transfers.

(l) Entries and exits include persons transferred between state and county probation agencies.

(m) Data do not include probationers with weekend incarceration.

(n) Data do not include 6,209 probationers supervised by county agencies.

(o) All data are midyear 1990 counts.

(p) All data are for August 1990.

(q) Exits include 207 revocations and discharges and six reversals of court orders.

(r) Exits include revocations, out-of-state cases terminated and cases closed administratively.

(s) Entries include 50 reinstatements.

(t) Exits include 221 bench warrants, relief of responsibility and interstate transfers.

Table 8.23
ADULTS ON PAROLE, 1990

State or other jurisdiction	Parole population 1/1/90	1990		Parole population 12/31/90	Percent change in probation population during 1990	Parole population (a)	
		Entries	Exits			Under intensive supervision	Under electronic monitoring
Alabama	5,724	2,225	1,979	5,970	4.3	5	144
Alaska (b)	533	542	507	568	6.6	15	. . .
Arizona	2,048	4,087 (c)	3,424 (c)	2,711	32.4	. . .	116
Arkansas (d)	3,657	2,402	2,088	3,971	8.6	66	. . .
California (d,e)	57,515	91,379	81,332	67,562	17.5	7,207	40
Colorado (d)	1,974	2,149	1,727	2,396	21.4	. . .	45
Connecticut	322	49	80	291	−9.6	10	2
Delaware (b)	1,013	676	406	1,283	26.7	100	10
Florida (d,f)	2,318	645	899	2,064	−11.0	. . .	. . .
Georgia	17,437	16,611	11,402	22,646	29.9	422	. . .
Hawaii	1,287	527	389 (g)	1,425	10.7	70	11
Idaho	238	275	270	243	2.1	DK	DK
Illinois (i)	14,550	16,349 (h)	13,228	17,671	21.5	49	41
Indiana	3,456	2,965	2,643	3,778	9.3	. . .	. . .
Iowa (d,f)	1,900	1,572	1,361	2,111	11.1	269	60
Kansas (d)	5,089	3,107	2,445 (i)	5,751	13.0	(j)	(j)
Kentucky	3,133	2,210 (k)	2,160	3,183	1.6	883	. . .
Louisiana	9,177	6,220	6,520	8,877	−3.3	DK	DK
Maine				(l)			
Maryland	9,862	7,715	6,385	11,192	13.5	541	. . .
Massachusetts (b)	4,688	5,774	5,742	4,720	0.7	34	. . .
Michigan	9,890	8,994	6,983	11,901	20.3	. . .	DK
Minnesota	1,699	2,249 (m)	2,075	1,873	10.2	(j)	(j)
Mississippi (d)	3,349	1,657 (n)	1,528	3,478	3.9	112	. . .
Missouri (b,o)	7,545	4,746	3,095	9,196	21.9	. . .	38
Montana	752	406	347	811	7.8	8	. . .
Nebraska	490	840	698	632	29.0	37	1
Nevada	2,417	1,620	1,187	2,850	17.9	912	8
New Hampshire (d,f)	477	408 (p)	363	522	9.4	41	1
New Jersey	20,062	13,019	9,783 (q)	23,298	16.1	373	49
New Mexico (b,d)	1,151	1,277	1,204	1,224	6.3	54	27
New York	36,885	23,273	17,321	42,837	16.1	. . .	16
North Carolina	7,559	9,148	6,824	9,883	30.7	437	124
North Dakota	138	136	158	116	−15.9	(j)	(j)
Ohio (d)	6,464	5,788 (r)	4,307 (r)	7,945	22.9	. . .	. . .
Oklahoma	1,993	1,990	747	3,236	62.4	(j)	(j)
Oregon	5,794	5,805	3,576	8,023	38.5	65	. . .
Pennsylvania (s)	47,702	28,225 (t)	19,270	56,657	18.8	1,397	223
Rhode Island (u)	393	276	348	321	−18.3	. . .	23
South Carolina (v)	3,386	1,129	972 (w)	3,543	4.6	426	. . .
South Dakota	510	571	461	620	21.6	64	. . .
Tennessee	10,511	5,914	5,098 (x)	11,327	7.8	. . .	. . .
Texas (y)	91,294	46,476 (z)	28,044	109,726	20.2	2,110	306
Utah	1,277	1,244	960	1,561	22.2	199	38
Vermont (d)	220	190	110	300	36.4	34	. . .
Virginia (d)	7,444	8,790 (aa)	7,186 (aa)	9,048	21.5	426	6
Washington	9,832	741	958	9,615	−2.2	. . .	. . .
West Virginia	943	480 (bb)	423	1,000	6.0	(j)	(j)
Wisconsin (d,cc)	4,042	2,736	2,679 (dd)	4,099	1.4	222	55
Wyoming	326	155	168 (ee)	313	−4.0	1	1
Dist. of Columbia	4,915	3,268	2,837	5,346	8.8	198	. . .

See footnotes at end of table.

ADULTS ON PAROLE, 1990—Continued

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Probation and Parole 1990* (November 1991).

Key:

. . . — No program
DK — Number not known

(a) Estimated number. Counts of persons under intensive supervision reported by some states include persons under electronic monitoring. Some states were unable to provide separate counts of parole and probation populations under intensive supervision (see also Table 8.22, "Adults on Probation").

(b) State estimated all or portion of data. Massachusetts and New Mexico estimated entries and exits.

(c) Entries include 491 interstate compact cases. Exits include 10 early discharges.

(d) State omitted absconders from their Jan. 1 and Dec. 31, 1990 counts.

(e) Data include California Youth Authority cases.

(f) State supervised only persons sentenced to year or more.

(g) Exits include 89 parolees whose maximum sentences had expired.

(h) Entries include 533 out-of-state parolees and 2,060 interstate compact and apprehension cases.

(i) Exits exclude an unknown number of persons returned to prison or jail, parole revocation pending; returned to prison or jail, new charges pending; or transferred to another parole jurisdiction. Exits include 275 absconded, 290 expiration of sentence, 62 pre-revocation confinements and 229 state offenders supervised out-of-state.

(j) State reported either not having persons under intensive supervision and electronic monitoring or not knowing their numbers.

(k) Entries include 489 transfers from out-of-state districts.

(l) State eliminated parole in 1976. Thirty pre-1976 parolees remain under supervision and 25 in prison will become eligible for parole.

(m) Entries include 402 parolees on work release.

(n) Entries include intrastate transfers and two work release cases.

(o) Data exclude 283 parolees from local jails.

(p) Entries include 92 administrative parolees.

(q) Exits include 151 persons recalled by court and discharged by parole authority decree.

(r) Entries include 139 parolees supervised out-of-state. Exits include 31 inactive cases and 67 interstate compact cases.

(s) State supervised 610 parolees from local jails.

(t) Entries include 21,271 parolees released by county courts.

(u) Absconders are removed from parole only if a revocation warrant has been issued.

(v) State excluded youthful offenders from its counts.

(w) Exits include 12 pardoned parolees.

(x) Exits include 436 inactive parolees whose supervision was terminated.

(y) All data are for August 1990.

(z) Entries include about 12,000 parole releases direct from county jail.

(aa) Entries include 367 transfers from other states. Exists include 379 terminated out-of-state cases.

(bb) Entries include 95 interstate compact cases.

(cc) Data do not include parolees supervised out-of-state.

(dd) Exits include 15 administrative closings.

(ee) Exits include 29 administrative closings and pardons.

Table 8.24
STATE DEATH PENALTY
(As of December 1990)

State or other jurisdiction	*Capital offenses*	*Minimum age*	*Persons on death row*	*Method of execution*
Alabama	Murder during kidnaping, robbery, rape, sodomy, burglary, sexual assault, or arson; murder of peace officer, correctional officer, or public official; murder while under a life sentence; murder for pecuniary gain or contract; aircraft piracy; murder by a defendant with a previous murder conviction; murder of a witness to a crime	None	117	Electrocution
Alaska	. . .			
Arizona	First-degree murder	None	91	Lethal gas
Arkansas	Felony murder; arson causing death; intentional murder of a law enforcement officer; murder of prison, jail, court or correctional personnel, or military personnel acting in line of duty; multiple murders; intentional murder of public officeholder or candidate; intentional murder while under life sentence; contract murder	14	33	Lethal injection or electrocution (a)
California	Treason; aggravated assault by a prisoner serving a life term; first-degree murder with special circumstances; train wrecking; perjury causing execution	18	280	Lethal gas
Colorado	First-degree murder; kidnaping with death of victim; felony murder	18	3	Lethal injection
Connecticut	Murder of a public safety or correctional officer; murder for pecuniary gain; murder in the course of a felony; murder by a defendant with a previous conviction for intentional murder; murder while under a life sentence; murder during a kidnaping; illegal sale of cocaine; methadone, or heroin to a person who dies from using these drugs; murder during first-degree sexual assault; multiple murders	18	2	Electrocution
Delaware	First-degree murder with aggravating circumstances	None	6	Lethal injection
Florida	First-degree murder	None	299	Electrocution
Georgia	Murder; kidnaping with bodily injury when the victim dies; aircraft hijacking; treason; kidnaping for ransom when the victim dies	17	98	Electrocution
Hawaii	. . .			
Idaho	First-degree murder; aggravated kidnaping	None	19	Lethal injection or firing squad
Illinois	Murder accompanied by at least one of 10 aggravating factors	18	128	Lethal injection
Indiana	Murder with 12 aggravating circumstances	16	48	Electrocution
Iowa	. . .			
Kansas	. . .			
Kentucky	Aggravated murder; kidnaping when victim is killed	16	26	Electrocution
Louisiana	First-degree murder; treason	16	31	Lethal injection (b)
Maine	. . .			
Maryland	First-degree murder, either premeditated or during the commission of a felony	18	19	Lethal gas
Massachusetts	. . .			
Michigan	. . .			
Minnesota	. . .			
Mississippi	Capital murder includes murder of a peace officer or correctional officer, murder while under a life sentence, murder by bomb or explosive, contract murder, murder committed during specific felonies (rape, burglary, kidnaping, arson, robbery, sexual battery, unnatural intercourse with a child, nonconsensual unnatural intercourse), and murder of an elected official; capital rape is the forcible rape of a child under 14 years by a person 18 years or older; aircraft piracy	16 (c)	47	Lethal injection (d)

See footnotes at end of table.

STATE DEATH PENALTY—Continued

State or other jurisdiction	*Capital offenses*	*Minimum age*	*Persons on death row*	*Method of execution*
Missouri	First-degree murder	14	72	Lethal injection or lethal gas
Montana	Deliberate homicide; aggravated kidnaping when victim or rescuer dies; attempted deliberate homicide, aggravated assault, or aggravated kidnaping by a state prison inmate with a prior conviction for deliberate homicide or who has been previously declared a persistent felony offender	(e)	6	Lethal injection or hanging
Nebraska	First-degree murder	None (f)	11	Electrocution
Nevada	First-degree murder	16	57	Lethal injection
New Hampshire	Contract murder; murder of a law enforcement officer; murder of a kidnap victim; killing another after being sentenced to life imprisonment without parole	17	0	Lethal injection or hanging (g)
New Jersey	Purposeful or knowing murder; contract murder	18	10	Lethal injection
New Mexico	First-degree murder; felony murder with aggravating circumstances	18	1	Lethal injection
New York	. . .			
North Carolina	First-degree murder	(h)	84	Lethal injection or lethal gas
North Dakota	. . .			
Ohio	Assassination; contract murder; murder during escape; murder while in a correctional facility; murder after conviction for a prior purposeful killing or prior attempted murder; murder of a peace officer; murder arising from specified felonies (rape, kidnaping, arson, robbery, burglary); murder of a witness to prevent testimony in a criminal proceeding or in retaliation	18	105	Electrocution
Oklahoma	Murder with malice aforethought; murder arising from specified felonies (forcible rape, robbery with a dangerous weapon, kidnaping, escape from lawful custody, first-degree burglary, arson); murder when the victim is a child who has been injured, tortured or maimed	16	118	Lethal injection
Oregon	Aggravated murder	18	10	Lethal injection
Pennsylvania	First-degree murder	None	121	Lethal injection
Rhode Island	. . .			
South Carolina	Murder with statutory aggravating circumstances	None	42	Electrocution
South Dakota	First-degree murder; kidnaping with gross permanent physical injury inflicted on the victim; felony murder	(i)	0	Lethal injection
Tennessee	First-degree murder	18	84	Electrocution
Texas	Murder of a public safety officer, fireman, or correctional employee; murder during the commission of specified felonies (kidnaping, burglary, robbery, aggravated rape, arson); murder for remuneration; multiple murders; murder during prison escape; murder by a state prison inmate	17	320	Lethal injection
Utah	First-degree murder	16	11	Lethal injection or firing squad
Vermont	. . .			
Virginia	Murder during the commission or attempts to commit specified felonies (abduction, armed robbery, rape); contract murder; murder by a prisoner while in custody; murder of a law enforcement officer; multiple murders; murder of a child under 12 years old during an abduction; murder arising from drug violations.	15	45	Electrocution
Washington	Aggravated first-degree premeditated murder	None	10	Lethal injection or hanging
West Virginia	. . .			
Wisconsin	. . .			
Wyoming	First-degree murder including felony murder	16	2	Lethal injection
Dist. of Columbia	. . .			

See footnotes at end of table.

STATE DEATH PENALTY—Continued

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Capital Punishment, 1990 (September 1991).*

Key:

. . . — No capital punishment statute

(a) State authorizes lethal injection for those whose capital offense occurred after 7/4/83; for those whose offense occurred before that date, the condemned prisoner may select lethal injection or electrocution.

(b) State authorizes all sentences imposed on or after 1/1/91 to be carried out by lethal injection; sentences of those imposed prior to that date will be carried out by electrocution.

(c) Minimum age defined by statute is 13, but effective age is 16, based on state attorney general's interpretation of U.S. Supreme Court decisions.

(d) State authorizes lethal injection for those convicted after 7/1/83; execution of those convicted prior to that date is to be carried out with lethal gas.

(e) Youths as young as 12 may be tried as adults, but age less than 18 is a mitigating factor.

(f) Age can be a statutory mitigating factor.

(g) State authorizes hanging only if lethal injection cannot be given.

(h) Age required is 17 unless the murderer was incarcerated for murder when a subsequent murder occurred; then the age may be 14.

(i) Age 10, but only after a transfer hearing to try a juvenile as an adult.

Table 8.25
STATE PUBLIC UTILITY COMMISSIONS

State or other jurisdiction	Regulatory authority	Members		Selection of chair	Length of commissioners' terms (in years)	Number of full-time employees
		Number	Selection			
Alabama	Public Service Commission	3	E	E	4	152
Alaska	Public Utilities Commission	5	GS	G	6	43
Arizona	Corporation Commission	3	E	C	6	226
Arkansas	Public Service Commission	3	GS	G	6	114
California	Public Utilities Commission	5	GS	C	6	1,080
Colorado	Public Utilities Commission	3	GS	G	4 (a)	96.5
Connecticut	Department of Public Utility Control	5	GL	C	4	142
Delaware	Public Service Commission	5	GS	G	5	20
Florida	Public Service Commission	5	GS	C	4	376
Georgia	Public Service Commission	5	E	C	6	159
Hawaii	Public Utilities Commission	3	GS	G	6	23
Idaho	Public Utilities Commission	3	GS	C	6	56
Illinois	Commerce Commission	7	GS	G	5	456
Indiana	Utility Regulatory Commission	5	GS	G	4	101
Iowa	Utilities Board	3	GS	G	6	77
Kansas	State Corporation Commission	3	GS	C	4	237
Kentucky	Public Service Commission	3	GS	G	4	115
Louisiana	Public Service Commission	5	E	C	6	85
Maine	Public Utilities Commission	3	GL	G	6	69
Maryland	Public Service Commission	5	GS	G	5	135
Massachusetts	Department of Public Utilities	3	G	G	4 (a)	111
Michigan	Public Service Commission	3	GS	G	6	240
Minnesota	Public Utilities Commission	5	GS	G	6	40
Mississippi	Public Service Commission	3	E	C	4	145
Missouri	Public Service Commission	5	GS	G	6	191
Montana	Public Service Commission	5	E	C	4	46
Nebraska	Public Service Commission	5	E	C	6	61
Nevada	Public Service Commission	5	G	G	4	111
New Hampshire	Public Utilities Commission	3	GC	G (b)	6	55
New Jersey	Board of Public Utilities	3	GS	G	6	367
New Mexico	Public Service Commission	3	GS	G	6	50
New York	Public Service Commission	7	GS	G	6	678
North Carolina	Utilities Commission	7	GL	G	8	134
North Dakota	Public Service Commission	3	E	C	6	50
Ohio	Public Utilities Commission	5	GS (c)	G	5	526
Oklahoma	Corporation Commission	3	E	C	6	426
Oregon	Public Utility Commission	3	GS	C	4	452
Pennsylvania	Public Utility Commission	5	GS	G	5	614
Rhode Island	Public Utilities Commission	3	GS	G	6	38
South Carolina	Public Service Commission	7	L (d)	(e)	4 (f)	152
South Dakota	Public Utilities Commission	3	E	C	6	22
Tennessee	Public Service Commission	3	E	C	6	281
Texas	Public Utility Commission	3	GS	C	6	242
Utah	Public Service Commission	3	GS	G	6	79
Vermont	Public Service Board	3	GS	G	6	14
Virginia	State Corporation Commission	3	L	C	6	596
Washington	Utilities & Transportation Commission	3	GS	G	6	234
West Virginia	Public Service Commission	3	GS	G	6	178
Wisconsin	Public Service Commission	3	GS	G	6	184.5
Wyoming	Public Service Commission	3	GS	C	6	31
Dist. of Columbia	Public Service Commission	3	MC	MC	4	64
Guam	Public Utilities Commission	5	GL	N.A.	6	N.A.
Puerto Rico	Public Service Commission	5	GS	GS	4	264
U.S. Virgin Islands	Public Service Commission	9 (g)	GS (g)	C	3	2

Source: National Association of Regulatory Utility Commissioners, *Annual Report on Utility and Carrier Regulation*, 1990. (Washington, D.C.: 1991).

Note: See Table 8.26, "Selected Regulatory Functions of State Public Utility Commissions," for information on commissions' authority.

Key:
G — Appointed by Governor.
GC — Appointed by Governor, with consent of the Governor's Council.
C — Elected by the Commission.
GS — Elected by Governor, with consent of Senate.
L — Appointed by the Legislature.
GL — Appointed by Governor, with consent of entire Legislature.
MC — Appointed by the Mayor, with consent of City Council.
E — Elected by the public.
N.A. — Information not available.

(a) Co-terminous with governor's. In Colorado, two terms are co-terminous and one is staggered.
(b) With Council approval.
(c) After nomination by PUC Nominating Council.
(d) Upon recommendation of State Merit Selection Panel.
(e) Chairmanship rotates every two years.
(f) Concurrent terms.
(g) 7 voting, 2 non voting. Voting members appointed by governor and confirmed by Senate; nonvoting appointed by Senate president.

Table 8.26
SELECTED REGULATORY FUNCTIONS OF STATE PUBLIC UTILITY COMMISSIONS

	Agency has authority to:																
	Controls rates of privately owned utilities on sales to ultimate consumers of				*Prescribe temporary rates, pending investigation*			*Require prior authorization of rate changes*			*Suspend proposed rate changes*			*Initiate rate investigation on its own motion*			
State or other jurisdiction	*Electric*	*Gas*	*Telephone*	*CATV*	*Electric*	*Gas*	*Telephone*	*Electric*	*Gas*	*Telephone*	*Electric*	*Gas*	*Telephone*	*Electric*	*Gas*	*Telephone*
Alabama	★	★	★	...	★	★	...	★	★	...	★	★	★	★	★	★
Alaska	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Arizona	★	★	★	...	★	★	★	★	★	★	(a)	(a)	(a)	★	★	★
Arkansas	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
California	★	★	★	...	★	★ (b)	★ (b)	★	★	★	★	★	★	★	★	★
Colorado	★	★	★	...	★ (c)	★ (c)	★ (c)	★	★	★	★	★	★	★	★	★
Connecticut	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Delaware	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Florida	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Georgia	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Hawaii	★	★	★	(d)	★	★	★	★	★	★	(a)	(a)	(a)	★	★	★
Idaho	★	★	★	...	★	★	★	★ (e)	★ (e)	★ (e)	★	★	★	★	★	★
Illinois	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Indiana	★	★	★	(f)	★	...	...	★	★	★	★	★	★	★	★	★
Iowa	★	★	★	...	★	★	★ (g)	★	★	★ (g)	★	★	★ (g)	★	★	★ (g)
Kansas	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Kentucky	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Louisiana	★	★ (h)	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Maine	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Maryland	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Massachusetts	★	★	★	(i)	★	★	★	★	★	★	★	★	★	★	★	★
Michigan	★	★ (j)	★	...	★	★	★	★	★	★ (j)	(a)	(a)	(a) (j)	★	★	★
Minnesota	★	★ (k)	★ (l)	(m)	★	★	★	★	★	★ (l)	★	★	★ (l)	★	★	★ (l)
Mississippi	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Missouri	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Montana	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Nebraska (n)	...	...	★	...	...	...	...	...	...	★	...	...	★	...	...	★
Nevada	★	★	★	...	★	★	...	★	★	★	★	★	★	★	★	★
New Hampshire	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
New Jersey	★	★	★	★(o)	★	★	★	★	★	★	★	★	★	★	★	★
New Mexico																
Public Service Comm.	★	★	...	...	★	★	...	★	★	...	★	★	...	★	★	...
State Corporation Comm.	...	...	★	(p)	...	...	★	...	...	★	...	...	★	...	...	★
New York	★	★	★	(q)	★	★	★	★	★	★	★	★	★	★	★	★
North Carolina	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
North Dakota	★	★	★ (r)	...	★	★	★	★	★	★	★	★	★	★	★	★
Ohio	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Oklahoma	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Oregon	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Pennsylvania	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Rhode Island	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
South Carolina	★	★	★	...	★	★	...	★	★	★	...	...	★	★	★	★
South Dakota	★	★	★ (s)	...	★	★	★	★	★	★	★	★	★	★	★	★
Tennessee	★	★	★	...	★ (t)	★ (t)	★	★	★	★	★	★	★	★	★	★
Texas																
Public Utilities Comm.	★	...	★	...	★	...	...	★	...	...	★	...	★	★	...	★
Railroad Comm.	...	★	...	...	...	★	...	...	★	...	...	★	...	...	★	...
Utah	★	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★
Vermont	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Virginia	...	...	★	...	★	★	★ (u)	★	★	★ (u)	★	★	★	★	★	★
Washington	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
West Virginia	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Wisconsin	★	★	★ (v)	(w)	★	★	★	★	★	★	(a)	(a)	(a)	★	★	★
Wyoming	★	★	★	...	★	★	★	★	★	★	★	★	★	★	★	★
Dist. of Columbia	★	★	★	...	...	...	...	★	★	★	★	★	★	★	★	★
Puerto Rico	...	...	(x)	★	...	...	(x)	...	...	(x)	...	...	(x)	...	...	(x)
U.S. Virgin Islands	...	...	★	...	★	★	★	★	★	★	...	...	★	...	...	★

See footnotes at end of table.

SELECTED REGULATORY FUNCTIONS—Continued

Source: National Association of Regulatory Utility Commissioners, *Annual Report on Utility and Carrier Regulation*, 1990 (Washington, D.C.: 1991).

Note: Full names of commissions are shown on Table 8.25, "State Public Utility Commissions."

Key:

★ — Yes

. . . — No

(a) Rate changes do not go into effect until approved by Commission.

(b) Authority is not exercised.

(c) No specific statutory authority.

(d) Regulated by the Cable Television Division of the Department of Regulatory Agencies.

(e) Rates become effective after seven months if Commission does not take action.

(f) Under jurisdiction of Department of Administration, City of Indianapolis, Office of Telecommunications.

(g) Not for companies with less than 15,000 customers and less than 15,000 access lines.

(h) Except no authority over rates charged to industrial customers by any gas company.

(i) Massachusetts CATV Commission has jurisdiction over CATV.

(j) Interim rates may be prescribed after statutory requirements are met.

(k) Rates not regulated for gas utilities serving fewer than 650 customers.

(l) Five local exchange companies must have prior approval to change rates; other 89 companies must give notice, but do not need PUC approval.

(m) Minnesota Cable Commission Board.

(n) Telephone is the only regulated utility with jurisdiction limited to rate increases for basic exchange service of more than 10 percent during a 12-month period. State has no private power companies. Natural gas is provided by private companies through franchise granted by each local jurisdiction.

(o) Under FCC standards, defining "effective competition," no system's rates are currently regulated; however, agency has authority to regulate rates to extent permitted by federal law.

(p) Two-way telecommunications, data, etc.

(q) New York State Commission on Cable Television has jurisdiction over CATV companies. NYPSC has authority over attachments by CATV companies to utility poles and leasing of utility conduits by CATV companies.

(r) PSC does not regulate local rates for 14 telephone cooperatives, six small independents nor rates for resellers.

(s) PUC does not regulate rates of rural telephone cooperatives, or of 13 independents and three municipals.

(t) Emergency only.

(u) Companies participating in experimental regulatory plan have rate flexibility for services deemed competitive.

(v) Of the 96 LECs operating in the state, only 12 are fully regulated.

(w) No regulation of television services.

(x) The Puerto Rico Telephone Authority, a state public corporation, purchased the Puerto Rico Telephone Company.

ENVIRONMENTAL DEVELOPMENT

Merging Environmental Protection and Economic Development Priorities in the 1990s

By R. Steven Brown

For years policy makers have been concerned about how a growing economy and a healthy environment can coexist. For the most part, environmental protection has been at odds with economic growth,[1] and there have been few examples of how to successfully accomplish the twin goals of creating jobs and maintaining a clean environment. States have taken a major role in promoting economic development but have not yet been able to reconcile job creation and environmental protection. Each new or expanded manufacturing industry adds to the total pollutant load, even if the industry complies with all environmental laws.

There are, however, a growing number of employment opportunities, primarily in the private sector, that exist to produce or promote a cleaner environment. The growth potential for industries providing these jobs presents a unique opportunity for each state to achieve and merge the joint goals of economic development and environmental protection — *environmental development.*[2]

Environmental jobs are growing rapidly. Market analysts have determined that in the United States these "environmental industries" topped $75 billion in gross profits in 1990, having grown annually at a rate of 20 percent since 1985 and currently expanding at an annual rate of 35 percent.[3] *Environmental industries* include consulting, facility siting, solid and hazardous waste management, recycling, pollution control device manufacturing and installation (but not operations and maintenance) and pollution monitoring equipment.

According to Management Recruiters International, 52.5 percent of environmental executives plan to increase their staff during the second half of 1992, compared with the 29.4 percent national average for all industries.[4] A considerable amount of economic growth and export potential is at stake for the states and the nation.

Environmental products and services are a major worldwide market, estimated at $200 billion per year and expected to grow 5 percent annually.[5] Most of the market is here at home. In 1989, an estimated $115 billion was spent on pollution control devices in the U.S. alone.[6] Another source estimates the domestic market for environmental industries at $132 billion annually.[7] For every $100 billion spent on pollution control devices, 3 million jobs are supported or created.[8] Analysts expect U.S. industry to spend $20 billion by the year 2000 on improved air pollution control systems alone;[9] with 70 percent of the devices currently imported, failure to respond to the future demand domestically could have significant economic consequences.[10]

The Expanding Environmental Industries

What factors are fueling the expansion of environmental industries? In part, environmental industries are being created as industry attempts to reduce wastes, especially hazardous ones, to avoid disposal costs and operational safety problems. In part, they are being created in response to consumer demand. But the expansion also is industry's and municipalities' response to environmental regulation.

Environmental regulations affecting industries include wastewater discharges, air pollutant discharges, and requirements for hazardous and solid waste. Demands spurred by regulation in these areas have created the

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$100 billion-plus market already described. Environmental regulation also is a driving force in job creation because of requirements affecting municipal governments. The U.S. Environmental Protection Agency estimates that in the 20-year period between 1988 and 2008 more than $81 billion will be needed to create new, expanded, upgraded or better-managed sewage treatment facilities.[11] The annual growth in technology needs for compliance with the Clean Air Act and Safe Drinking Water Act is expected to be over $100 million.[12] These figures do not even include the considerable dollars spent on solid waste management.

Recycling

Perhaps the most notable growth in environmental employment comes with the recycling industries. Although recycling carries its share of environmental benefits, many direct economic benefits also are realized through employment in research and development, collection, processing, manufacturing, construction and exporting.

While collection is still in its infancy, with only 8 percent of the U.S. population served by pick-up recycling programs, research and development on recycled materials is growing, especially in the plastics industry and for automotive wastes, such as tires. Moreover, states sponsor materials recovery facilities that are usually privately-owned or -operated — facilities that benefit the construction and equipment manufacturing industries. But the greatest economic potential lies with the manufacturing of products from these recovered (secondary) materials. Paper mills, detinning firms, oil refineries and companies making products from recovered plastics and tires are just a few examples of facilities using secondary materials. As much as 4 percent of the U.S. total export tonnage is recovered materials, especially paper and metal.[13]

One million tons of recovered materials can create about 2,000 jobs. If recycling rates were increased to 50 percent, a goal commonly set by the states, about 200,000 jobs would be created — 375,000 jobs if a 75 percent rate were achieved. The ALCOA Company estimates recycled aluminum creates about 30,000 jobs or twice as many as primary aluminum at about the same or less product cost. Even taking into account jobs lost — for example, recycled aluminum uses less energy and no ores — there is a net gain in employment.[14]

Other economic opportunities

Wetlands protection has received a great deal of public policy attention in recent years, but there has been little discussion about its direct economic benefits. By 1990, at least 142 wetlands, averaging about 50 acres each, had been constructed, primarily for wastewater treatment purposes. At an average cost per site of about $22,000 per acre and average treatment cost of about $2 per gallon — compared with $5 to $10 per gallon for conventional systems — all water effluent standards were met or exceeded.[15]

Alternative energy technologies also are a source of job creation, generally because capital requirements are fewer and labor needs are greater. In electrical generation, for example, solar thermal and wind technologies annually produce 248 and 542 jobs per terawatt hour, respectively, while coal-fired technologies produce only 116 jobs, including mining.[16] And power costs from these alternative sources have been declining steadily for two decades making them more competitive with traditional sources. In 1989, for example, the cost of solar thermal power ranged from 8 to 16 cents per kilowatt-hour, and in 1988, the cost of wind-generated electricity was 8 cents per kilowatt-hour. Coal-fired electricity averaged just less than 7 cents per kilowatt-hour in 1991.[17]

Among the other opportunities for environmental development are light-rail urban transportation systems, tourism dependent on environmentally attractive resources, composting facilities and products, and materials substitutions. Materials substitution, replacing one product component with another that is more environmentally benign, especially holds promise. While the methodologies of life-cycle analysis are being hammered out to determine which products are less harmful than others, substitutes in materials from cleaners to packaging already are being used.

States and Environmental Development

Most states have yet to factor into their economic development strategies the growing number of environmental jobs and industries. States commonly have focused their economic development activities on attracting traditional manufacturing jobs, often referred to as "smokestack chasing." These jobs typically bring with them an increase in pollutants, even if control devices are installed and the plant is operating within its permit limitations.

Although states, and especially their governors,[18] often have aggressively competed for these traditional manufacturing jobs, they are among the slowest growing in the economy. For example, in 1970 there were just over 20 million jobs each in manufacturing and services. Nearly 20 years later, in 1989, manufacturing jobs had grown to more than 21 million, while those associated with the service industries had nearly doubled — to more than 38 million. Of the nine major job categories tracked by the U.S Bureau of Labor Statistics, only one, agriculture, had a lower growth rate than manufacturing.[19]

Much is at stake for state economies. A 1991 Massachusetts study found that the commonwealth's environmental industry was worth $13 billion annually to the economy and was growing at an annual clip of 15 percent. Much of the growth was from foreign clients, helping the national balance of trade. Moreover, the industry was employing 73,000 taxpayers.

Other states also have begun looking at alternative ways of creating new jobs. Within the last few years, 16 states have created programs to stimulate markets for recycled materials.[20] Although coordination between state environmental agencies and economic development agencies for these programs generally has been awkward, there have been successes.

New York's Office of Recycled Market Development, a unit of the state Department of Economic Development, has provided grants and loans for business development projects in areas such as battery recycling, recycled plastic resins, and reuse of paper mill sludges. In 1989, the office made grants and loans amounting to nearly $3 million. More recently it sponsored a "BuyRecycled!" trade show.

Pennsylvania created the Environmental Technology Fund in 1989 as a way to support and attract the growing environmental technology industry. Administered by the state's Commerce Department, the Fund has provided low-interest loans to companies for purposes such as creating equipment to enhance recycling processing, developing processes to manufacture insulation from recycled paper, and developing ways to substitute cellulose for asbestos in asphalt coatings.

Connecticut instructed its development agencies in 1988 to begin devising plans for restructuring existing development programs to support and promote industries seeking to use old newsprint, tin-coated steel cans and plastics.

New Jersey offers loans for industries whose products result in expanded recycling markets. This program requires close coordination between the state environmental department, which receives applications, and the state development department, which makes the awards.

Massachusetts has an "environmental business coordinator," and its offices of Environmental Affairs and Economic Affairs jointly survey environmental industries in the commonwealth. Michigan has established a Plastics Recycling Development Fund.

At least 10 states — California, Illinois, Massachusetts, Michigan, Minnesota, New Jersey, New York, Pennsylvania, Oregon and Rhode Island — have undertaken programs involving loans, grants, direct negotiations, investment tax credits, secondary materials use credits, export development, research and development support, business development negotiations and technical assistance.[21]

Although these states have begun the process of combining environmental protection with economic development, there apparently are no states where the two functional agencies have considered environmentally beneficial jobs in fields other than recycling. While the recycling development programs are a first step, states may need new models to expand their efforts.

Table A

Examples of Environmental Jobs

I. *Technology Research and Development*
  A. New Technologies
    1. Detection (e.g., development of bio-engineered organisms sensitive to certain pollutants)
    2. Remediation (e.g., development of bio-remediation processes to remove pollutants from soils, etc.)
  B. Improved Existing Technologies
    1. Detection (e.g., development of new electronics capable of detecting lower limits of pollutants, or capable of detecting them in a more cost-effective and timely manner)
    2. Remediation (e.g., development of new techniques for improved performance of existing pollution control technologies, such as scrubbers)

II. *Applications*
  A. Management and Prevention
    1. Recycling
      a. Collection (e.g., drop-off collection centers)
      b. Recovery (e.g., recycled materials handlers [MRFs] and brokers)
      c. Secondary Products Manufacturing (e.g., any manufacturer of a product made of recycled materials, or the component of a product made from recycled materials; specifically, beverage containers made from recycled aluminum)
    2. Composting
      a. Collection (e.g., non-municipal collection centers for compostable materials)
      b. Secondary Products Manufacturing (e.g., products made from composted materials such as soil enhancers, fertilizers, mulches, etc.)
  B. Remediation
    1. Pollutant Collection
      a. Manufacturing of Pollution Control Devices (e.g., baghouse manufacturers, manufacturing of wastewater treatment plant components)
      b. Manufacturing of Pollutant Removal Devices (e.g., manufacturer of a device designed to remove organic chemicals from soils by bio-remediation)
      c. Pollutant Removal (e.g., the on-site crews who collect, treat, transport and/or dispose of wastes from abandoned hazardous wastes sites or spills)
    2. Technical and Professional Consulting (e.g., an engineering firm that recommends and designs treatment facilities for its clients)
  C. Materials Substitutions (e.g., production of domestic organic materials as a substitute for non-renewable, imported resources for manufacture of "packaging peanuts")

III. *Tourism (Natural Resource Attractions)*
  A. Fish and Game
    1. Fishing (e.g., fishing guides; the travel and equipment industries dependent on fishermen)
    2. Hunting (e.g., hunting guides; the travel and equipment industries dependent on hunters)
  B. Outdoors Experience
    1. Hiking (e.g., the travel and equipment industries dependent on hikers)
    2. Camping (e.g., the travel and equipment industries dependent on campers)
    3. Water sports (e.g., canoeing, boating)
    4. Other (e.g., climbing, dude ranches)

IV. *Construction*
  A. Treatment Facilities (e.g., wastewater treatment plants, "constructed" wetlands)
  B. Processing/Manufacturing Facilities (e.g., recycled paper mills, MRFs [municipal recycling facilities], etc.)
  C. Recreation (e.g., construction of trails, bike paths, parks, "green" areas)
  D. Transportation (e.g., urban light rail)

V. *Energy*
  A. Energy Conservation Services (e.g., window replacements, insulation installation, etc.)
  B. Alternative Energies (e.g., solar and wind power; biomass sources)

Table A provides a short list of environmental jobs that states might consider in formulating their economic development plans. The jobs, if adequately performed, either help produce or are dependent on a clean environment. Some, but not all, are in response to governmental mandates, although the list does not include persons who must be hired at any level of government to administer environmental laws nor persons hired by industries to comply with those laws. The jobs cover a wide range of employment opportunity — high-tech and low-tech, high-wage and low-wage — and include employment in the manufacturing, construction and service industries.

States affected by recent congressional plans to close stateside military installations are struggling to identify ways to preserve the economies of the most affected areas. Many of these environmental jobs could be suitable for military personnel who will leave the service as a result of those plans or for personnel displaced as other industrial activities are curtailed, including cuts in weapons procurement. Moreover, many of these jobs could be suitable for rural area development.

During the 1990s, the numbers and types of these jobs are likely to increase and may present opportunities for persons displaced from other employment. State policies, however, will play a major rôle in determining the ultimate success of environmental development.

Notes

[1] Richard B. Stewart, "Economics, Environment, and the Limits of Legal Control," *Harvard Environmental Law Review*, Vol.9:1, 1985.

[2] This article avoids the use of the term "sustainable development" due to confusion over its definition. See Michael A. Toman, "The Difficulty in Defining Sustainability," *Resources*. Winter 1992, pp. 3-6.

[3] Mark Fischetti, "Green Entrepreneurs" *Technology Review*, April, 1992, p. 40.

[4] Anonymous, *Environmental Protection News*, April 8, 1992, p. 11.

[5] *U.S. News and World Report*, March 16, 1992, p. 62.

[6] MISI, "PABCO Expenditures," unpublished draft, May 1990 as cited in Jobs in a *Sustainable Economy* by Michael Renner (Washington, D.C.: Worldwatch Institute), 1991.

[7] *Environmental Business Journal*, as quoted in Robert Duffy, "Green Industry Shows Fertility," *Boston Business Journal*, Sept. 23, 1991, Section 1, pg. 6.

[8] Michael Renner, *Jobs in a Sustainable Economy*. (Washington, D.C.: Worldwatch Institute), 1991, pg. 23.

[9] Fischetti, pg. 40.

[10] Michael Porter, "America's Green Strategy," *Scientific American*, April 1991.

[11] U.S. Environmental Protection Agency, *1988 Needs Survey Report to Congress: Assessment of Needed Publicly Owned Wastewater Treatment Facilities*. 1989.

[12] Fischetti, pg. 40.

[13] Andrew D. Reamer, "Creating Jobs from Trash," *Commentary*, Winter 1991, pp. 22-23.

[14] Jim Quigley, "Employment Impact of Recycling," *BioCycle*, March 1988, pp. 44-47.

[15] Sherwood C. Reed, "Constructed Wetlands for Wastewater Treatment," *BioCycle*, January, 1991, pp. 44-49.

[16] Lester R. Brown, et al., *State of the World*, 1991 (New York: W.W. Norton, 1991), pg. 34.

[17] National Energy Information Center, personal communication, March 16, 1992.

[18] Roger Wilson, *State Business Incentives and Economic Growth: Are They Effective?* (Lexington, Ky.: The Council of State Governments, 1989), pg. 7.

[19] Statistical Abstract of the United States. 1991. U.S. Department of Commerce, Bureau of the Census, pg. 400.

[20] Reamer, pg. 26

[21] Reamer, pg. 26.

CHALLENGES FOR ENVIRONMENTAL MANAGEMENT IN THE AGE OF INFORMATION

By John Mark Johnson

In his 1980 best-seller, *The Third Wave*, author and futurist Alvin Toffler described the progression of society through three phases — the agricultural revolution, the industrial revolution and finally, the technological revolution. The evolution in environmental management has progressed in much the same fashion and can be characterized by three classes of response — recognition, remediation and prevention. Since pollution prevention is at the core of environmental protection, society must develop a better understanding of the factors that initially contribute to environmental degradation.

Several states are developing the capacity to identify those factors and are creating a new approach to gauging human impact, both positive and negative, on environmental quality. The development of direct environmental quality indicators signals a promising new direction in managing our environmental resources for the 1990s and beyond.

Direct Measures of Environmental Quality

Despite more than three decades of aggressive environmental regulation at the state and federal levels and considerable scientific investigation, very little is known about the ecologic consequences of human activities. While it is clear that many of our ecosystems are adversely affected by human actions, it is far less certain which activities pose the greatest threat to human health and the environment. Moreover, those charged with protecting the environment concede there are insufficient data to adequately determine the baseline criteria for measuring environmental quality, much less adequate data to measure progress toward those criteria. Recently, however, a number of states and the U.S. Environmental Protection Agency have begun creating indices of direct measures of environmental quality.

During the 1980s, the U.S. Environmental Protection Agency (EPA) began developing a new approach to evaluate the success of its programs. Past efforts relied almost entirely on measures of activity accomplishments, with little data collected on causal relationships between program activities and changes in the environment. *Activity accomplishments* refer to input and output factors in a given environmental program. These factors include, for example, the number of pollution discharge permits processed; number of counties in compliance with a standard criteria; total grant funds expended on a given program; number of facility inspections; and number of enforcement actions taken.

The problem, however, is that those sorts of variables do not necessarily demonstrate the true condition of the environment, nor reflect changes in its condition. The concepts of "managing for results" and identifying direct measures of environmental trends are slowly gaining acceptance at EPA as more effective methods of evaluating and reporting agency performance and reflecting actual environmental conditions.

State Developments

Searching for ways to improve their reporting capabilities and, perhaps more importantly, their accountability to elected officials and the public, a number of state environmental protection agencies are implementing research programs to identify and define direct meas-

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ures of environmental well-being. At least five states — Florida, Kentucky, Louisiana, North Carolina and Washington — are taking steps to identify and develop non-traditional approaches to gauge the impact of their environmental protection programs. Although Florida's program is fairly mature, the others are in earlier stages of characterizing the scope and nature of environmental indicators. Nevertheless, their recognition of the potential benefits of using environmental indicators represents a radical departure from the status quo approach to environmental management.

Florida's Department of Environmental Regulation has taken one of the most comprehensive approaches to identifying environmental indicators. To evaluate its success, the department has developed a system called the *Strategic Assessment of Florida's Environment* (SAFE). SAFE has been characterized as:

> *A measurement system of key environmental indicators of environmental quality designed to provide a comprehensive assessment of past trends and the current status of Florida's environment to support planning and management decisions affecting Florida's future.*

Florida will use *SAFE* to support strategic decisionmaking by its managers; to evaluate the effectiveness of departmental programs and activities in achieving environmental results; and to provide information on environmental conditions and trends to other governmental decisionmakers and the public. *SAFE* is designed to be a dynamic system, capable of growing and changing as the environmental regulation department's geographic information system is developed and refined, and as personnel become more sophisticated in developing measurement systems.

With a growing demand for more effective environmental protection efforts, states are turning to increasingly sophisticated methods for capturing additional and better data about the true state of the environment. State and federal agencies are investing in the future with the increased acquisition of and reliance on high-tech geographic information systems that can help identify spatial relationships between ecological problems and populations at risk.

Kentucky's Natural Resources and Environmental Protection Cabinet, one of the earliest users of geographic information systems in the nation, is using its system to help identify and characterize indicators of environmental quality. Originally developed to support the *Lands Unsuitable for Mining Program*, the Cabinet's geographic information system is now capable of supporting a variety of other environmental and natural resource activities including waste management, groundwater modeling, permit tracking and wetlands inventories. As the commonwealth's largest user of geographic information systems, the Department for Environmental Protection is integrating data from a wide range of sources to support its strategic planning processes. Like environmental indicators, geographic information systems have become contemporary "tools of the trade" for categorizing, managing and analyzing environmental quality data.

North Carolina began its work on environmental indicators in the early 1970s with the creation of an Interagency Task Force on Environmental and Land Use Planning. The work of the Task Force culminated with the publication of a booklet, *North Carolina Environmental Indicators 1973*. The state's base of environmental indicators was broadened in the late 1980s when the governor appointed a panel of policy experts from the public and private sectors to formalize the development of environmental quality indices. This Blue Ribbon Panel on Environmental Indicators was charged with developing a set of environmental quality indicators that would be published regularly for use by the general public and state, federal, corporate and other public policy makers as a gauge of conditions and trends in the state's environmental quality. Noting that, "these indicators will be an important tool for use in achieving the overall goal to protect and improve the state's environment and public health," the panel's mandate sanctioned the use of environmental indicators as an integral component of the state's environmental protection mission.

Strategies for the Future

Mounting empirical evidence illustrates how inter-related environmental problems have become and how critical ecological questions must be addressed in the context of national, regional and multi-state approaches. Moreover, the looming scarcity of public resources punctuates the need for moving from a reactive posture to a more proactive, anticipatory strategy for environmental surveillance and response.

It is increasingly clear that relationships between humans and the environment are part of an interactive dynamic. But, while it has been long recognized that civilizations impose changes on their environment, we are only now beginning to see the deleterious effects of the environment on human health. Although correlations between ecological problems and human health have been evident for decades, only marginal progress has been made in establishing the *causal* relationships that could ultimately force change in environmental regulation. Research into and the development of environmental quality indicators could bring these cause/effect relationships to the forefront of public debate on the appropriate allocation of resources to remedy the problems.

Bureaucratic intransigence and status quo attitudes are not unique to federal or state programs, but are anathema to plans for moving environmental programs forward. The difficulty in shifting from one set of environmental quality measurement criteria to another often is due more to resistance to change than to any substantive concerns about the merit of new direct indicators.

Countering resistance to the development and implementation of environmental indicators is dependent on at least two key factors: one, providing incentives for participants to support the effort; and two, ensuring that participants are stakeholders in the outcome. The former is primarily a function of a state agency's ability to structure a managerial environment that rewards evaluation initiatives based on environmental results without penalizing evaluation efforts based on activity accomplishments. Effective leadership, pace of transition, and the continual re-emphasis of changing evaluation objectives are all important determinants in the success of this component, as is the political context in which it operates. These issues are best addressed through the managerial and political priorities of each state, or in the case of the federal government, each specific agency.

However, the issue of participants as stakeholders has broader implications for all users of environmental indicators and should be addressed through a national dialogue. Before more direct measures of environmental fitness can be developed, it is critical to cultivate a broad understanding of the key role environmental indicators will play in shaping future environmental policies. Proponents of increased spending for environmental protection will confront increasingly vocal challenges to the dividends of past environmental management investments. Those at the policy and program levels who are charged with delivering environmental results will have to demonstrate a baseline from which results can be measured. Without clear, definable indicators of the current environmental status and recent environmental trends, it will be futile to set goals and objectives, much less try to measure progress toward them.

Environmental managers and planners at all levels of government will have to recognize their roles both as consumers and producers of environmental data. This understanding is crucial to the development and maintenance of consistent and compatible data on environmental quality. Moreover, all parties will have to understand that the transition from using input factors to identifying results-oriented factors as measures of success is an ongoing process — involving the continuous reassessment and refinement of indicators, and communication with and feedback from all sectors of environmental management and the public. Failure to communicate effectively or inability to exchange useful data will result in duplicative and redundant efforts, misapplication of resources and energy, and disaffection with alternative measurement criteria.

Strategic environmental planning and state and federal political processes are demanding more and better information on how to balance resource allocations, how to garner public trust, and how to ensure accountability. Failure on the part of the states, in particular, to measure environmental conditions and to communicate these conditions with the public, will continue to encourage others (through publications like *The Green Index* and *The Truth About Where You Live*) to develop their own measures. The long-term shift toward environmental indicators based on direct measurements of human health and ecological well-being promises a more open examination of the true impact of human activity on the environment and an important opportunity to redefine appropriate strategies to protect it.

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Table 8.27
SUMMARY OF STATE ENVIRONMENTAL AND NATURAL RESOURCE EXPENDITURES, FISCAL YEAR 1988

State	*Total expenditures in dollars* (a)	*Per capita expenditures in dollars* (b)	*As a percentage of state budget* (c)	*Per manufacturing industry in dollars* (d)
Alabama	$ 64,906,954	$ 15.82	1.02	$ 6,808.66
Alaska	131,684,237	251.31	4.00	101,217.71
Arizona	46,612,900	13.36	0.96	6,255.93
Arkansas	44,188,570	18.45	1.15	9,205.95
California	1,486,124,000	52.49	2.60	19,027.99
Colorado	76,150,000	23.07	1.65	8,516.94
Connecticut	61,996,000	19.18	0.77	6,290.82
Delaware	33,170,000	50.26	1.80	35,475.94
Florida	465,591,276	37.75	2.51	15,697.62
Georgia	93,344,466	14.72	1.07	6,928.26
Hawaii	27,832,208	25.35	0.85	11,364.72
Idaho	61,440,400	61.26	4.22	24,976.59
Illinois	392,844,000	33.83	2.26	12,134.93
Indiana	51,580,177	9.50	0.68	3,870.19
Iowa	88,065,353	31.07	1.44	11,905.55
Kansas	47,817,000	19.17	1.23	7,895.81
Kentucky	120,289,400	32.28	1.64	17,362.79
Louisiana	193,835,955	43.97	2.64	26,607.54
Maine	39,332,000	2.64	1.88	13,595.58
Maryland	150,091,393	32.47	1.60	23,763.68
Massachusetts	237,936,245	40.40	1.56	16,292.54
Michigan	221,424,840	23.96	1.42	8,422.72
Minnesota	126,236,105	29.31	1.46	9,517.91
Mississippi	54,153,592	20.67	1.40	10,845.90
Missouri	106,300,846	20.68	1.53	7,836.41
Montana	69,559,793	86.41	4.29	42,030.09
Nebraska	27,988,000	17.47	1.29	8,953.29
Nevada	36,487,054	4.62	2.57	17,219.00
New Hampshire	33,588,000	30.96	2.41	9,184.58
New Jersey	523,874,000	67.85	3.61	25,890.78
New Mexico	44,782,182	29.72	1.48	14,658.65
New York	236,484,000	13.20	0.59	6,699.83
North Carolina	96,942,764	14.94	1.00	6,494.89
North Dakota	32,524,000	48.76	2.32	25,134.47
Ohio	125,669,234	1.58	0.65	4,213.84
Oklahoma	40,868,619	12.61	0.79	5,400.19
Oregon	186,438,200	7.38	3.03	17,779.73
Pennsylvania	288,766,000	24.06	1.49	11,763.32
Rhode Island	35,878,756	36.13	1.86	8,863.33
South Carolina	71,124,250	20.50	1.21	11,239.61
South Dakota	21,264,000	29.82	1.85	14,664.83
Tennessee	81,180,056	16.58	1.34	7,608.25
Texas	113,796,559	.76	0.60	2,740.57
Utah	51,419,000	0.43	1.80	13,137.20
Vermont	20,222,111	36.31	1.94	12,072.90
Virginia	152,149,051	5.29	1.47	17,083.88
Washington	246,873,000	53.11	2.63	23,318.50
West Virginia	56,189,209	29.95	1.68	25,062.09
Wisconsin	167,779,398	34.56	1.70	11,616.66
Wyoming	128,050,724	267.33	7.73	124,805.77

Source: The Council of State Governments, *Resource Guide to State Environmental Management, Second Edition*, 1990.

Note: See above referenced source for more detailed information.

(a) Amount represents the total dollars spent by each state for environmental and natural resource matters.

(b) Amount represents the environmental/natural resource dollars spent by the state per state resident.

(c) Percentage of the total state budget spent on environmental/natural resource matters.

(d) Total environmental/natural resource money spent divided by the number of manufacturing industries in the state.

Table 8.28
STATE ENVIRONMENTAL AND NATURAL RESOURCE SPENDING BY CATEGORY, FISCAL YEAR 1988
(In thousands of dollars)

State	Air quality	Drinking water	Forestry	Fish & wildlife	Geological survey	Hazardous waste	Land management	Marine & coastal programs	Nuclear waste	Pesticides control	Soil conservation	Mining reclamation	Solid waste	Water quality	Water resource management
Alabama	$ 1,995	(a)	$ 21,747	$ 13,467	$ 2,601	(b)	$ 717	$ 2,028	$ 709	$ 624	$ 1,268	$ 4,212	$ 2,158	$ 8,753	$ 4,627
Alaska	1,557	$ 1,367	23,190	77,186	3,107	$ 2,070	12,310	3,233	N.A.	136	314	619	611	5,187	798
Arizona	2,822	1,110	787	13,486	371	4,691	6,851	N.A.	. . .	154	180	39	(c)	5,262	10,860
Arkansas	940	654	11,028	18,777	854	1,450	(d)	N.A.	435	127	(d)	1,102	327	1,843	6,650
California	63,736	10,033	328,478	117,743	10,420	87,607	20,235	15,145	. . .	32,570	981	2,635	88,688	106,587	601,266
Colorado	6,434	222	4,380	38,660	958	3,875	1,397	N.A.	(e)	531	658	2,779	(c)	4,482	11,774
Connecticut	8,553	3,962	4,336	18,511	(d)	14,311	N.A.	(a)	(f)	(c)	(a)	N.A.	(c)	12,323	(a)
Delaware	1,388	(d)	1,326	10,073	744	5,004	(g)	4,829	(d)	268	(h)	N.A.	(c)	(d)	9,538
Florida	7,187	10,847	47,034	74,674	1,484	29,006	4,686	19,895	83	2,879	1,378	1,860	24,375	55,372	184,834
Georgia	3,493	2,487	40,549	26,660	2,601	2,367	431	2,128	28	1,916	1,706	N.A.	1,178	7,279	522
Hawaii	6,729	711	3,967	695	88	(f)	5,520	147	N.A.	493	(i)	N.A.	1,396	(f)	8,086
Idaho	777	574	9,939	23,802	331	1,725	1,286	N.A.	N.A.	385	639	373	104	10,082	11,426
Illinois	27,457	6,144	3,739	13,263	5,997	36,833	N.A.	312	12,762	1,872	5,269	26,029	16,019	180,448	56,700
Indiana	4,749	363	6,309	8,459	2,045	6,402	. . .	N.A.	. . .	1,186	1,904	3,136	84	3,285	14,844
Iowa	1,063	908	2,189	18,305	2,266	540	N.A.	N.A.	. . .	690	14,408	1,807	386	43,913	1,590
Kansas	2,484	2,627	N.A.	9,325	3,765	1,397	N.A.	N.A.	(f)	1,601	337	4,068	1,353	10,409	10,451
Kentucky	4,307	(a)	9,090	14,414	1,668	(b)	317	N.A.	823	1,153	4,228	55,247	4,013	25,034	(a)
Louisiana	5,116	2,600	27,800	(h)	5,215	895	19,894	(f)	2,000	19,100	7,188	(c)	6,024	88,114	88,114
Maine	659	(a)	595	17,714	110	1,554	3,177	2,275	301	302	87	N.A.	8,005	4,366	187
Maryland	4,587	(a)	9,021	21,767	5,169	2,588	35,642	13,578	841	585	5,374	2,686	8,450	20,977	18,826
Massachusetts	4,900	56,370	7,985	9,263	200	25,462	N.A.	15,522	82	1,100	142	N.A.	4,800	99,480	12,630
Michigan	7,851	209	22,749	45,048	932	3,925	12,259	11,769	789	1,398	2,617	980	8,706	99,140	3,055
Minnesota	3,350	1,514	42,621	35,345	952	10,367	(g)	1,021	N.A.	1,121	(d)	1,701	10,136	9,634	8,474
Mississippi	1,315	1,243	21,210	14,474	819	760	207	8,346	286	454	516	273	337	2,887	1,026
Missouri	2,423	749	17,914	29,475	2,101	2,989	728	N.A.	N.A.	1,929	7,380	12,106	(c)	41,174	938
Montana	1,193	521	10,146	20,105	1,279	4,976	853	N.A.	N.A.	1,044	711	6,661	1,109	1,766	19,198
Nebraska	540	352	669	11,688	2,629	402	2,364	N.A.	117	82	2,022	N.A.	606	4,978	1,538
Nevada	549	557	4,668	10,331	100	500	423	N.A.	N.A.	84	26	. . .	0	16,920	2,329
New Hampshire	961	525	1,573	7,200	71	5,479	(g)	110	20	150	. . .	N.A.	628	14,920	1,951
New Jersey	12,987	(d)	5,239	11,674	1,415	22,046	. . .	5,580	4,925	1,317	1,525	N.A.	7,158	447,471	2,537
New Mexico	1,498	2,065	1,944	13,227	2,574	5,433	4,985	N.A.	1,108	N.A.	328	3,033	200	1,187	6,900
New York	16,148	10,085	37,469	29,642	1,910	(b)	(g)	3,441	1,262	(b)	. . .	500	54,740	81,287	(a)
North Carolina	3,241	2,461	29,670	21,457	767	3,414	4,745	7,248	52	1,562	11,371	N.A.	946	8,334	1,675
North Dakota	1,100	500	840	8,251	844	400	5,294	N.A.	N.A.	534	555	2,736	100	1,500	9,870
Ohio	11,046	3,235	9,030	22,462	1,461	11,930	1,292	750	. . .	658	10,649	18,316	10,955	17,180	6,706
Oklahoma	1,971	319	6,323	16,504	2,084	994	814	N.A.	65	1,765	3,053	1,694	441	2,439	2,404
Oregon	10,616	(a)	60,851	49,563	2,013	(b)	27,091	4,624	68	647	453	472	12,769	6,257	11,015
Pennsylvania (j)	11,420	10,086	25,591	67,068	2,400	23,339	. . .	5,554	10,492	1,273	901	62,741	11,342	44,291	12,268
Rhode Island	777	620	1,333	5,659	127	2,867	(g)	4,518	N.A.	258,335	24	N.A.	2,365	9,629	7,701
South Carolina	919	1,551	17,031	31,842	670	2,639	2,373	4,103	1,639	801	(i)	299	(c)	2,855	4,402
South Dakota	765	(a)	3,165	9,843	1,465	(f)	315	N.A.	(f)	276	407	486	(f)	2,031	2,511
Tennessee	2,840	(a)	14,820	21,592	1,231	3,628	(k)	N.A.	1,363	957	1,540	2,296	3,337	19,167	8,409
Texas	11,486	2,559	8,796	15,671	11,115	7,889	26,099	4,403	1,055	4,899	1,186	2,257	1,280	3,742	11,358
Utah	2,097	1,426	(i)	23,083	2,295	2,194	3,466	N.A.	217	120	65	2,645	0	2,804	11,007
Vermont	890	(a)	3,062	6,639	300	(b)	4,064	N.A.	238	552	961	N.A.	1,447	1,986	84

See footnotes at end of table.

STATE OCCUPATIONAL AND PROFESSIONAL LICENSURE

By Pamela L. Brinegar and Kara L. Schmitt

Occupational and professional licensure is an exercise of a state's inherent power to protect the health, safety and welfare of its citizens. Virginia enacted the first licensing law in 1639 to regulate fees charged by physicians and, since that time, states have held primary authority over professional regulation.[1] Even the federal government maintains that occupational and professional regulation is an activity that rightfully still belongs to the states. However, Congress has passed several laws mandating state response and raising the question of whether a shift in regulatory responsibilities to the federal level is going to continue. Federal licensing laws include establishing a comprehensive data bank for disciplinary actions in the health professions and requiring state regulation of nurse aides and real estate appraisers.

Licensure is the most restrictive form of state regulation. Under licensure laws, it is illegal for a person to practice a profession without first meeting state-imposed standards. Under *certification*, the state grants title protection to persons meeting predetermined standards. Those without the title may perform the services of the occupation, but may not use the title. In January 1992, the 11th U.S. Circuit Court of Appeals overturned a Florida law restricting the use of the term "psychologist" as an unconstitutional burden on commercial speech. The state is appealing the decision and attempting to accelerate existing plans to license psychologists. *Registration* is the least restrictive form of regulation, usually taking the form of requiring individuals to file their names, addresses and qualifications with a government agency before practicing the occupation.[2]

Today, the number of occupations and professions regulated by states through licensure, certification and registration is over 1,100. (See Tables 8.29 and 8.30 for examples of regulated health and non-health occupations and professions.) Approximately 600 of these categories are regulated through licensure; however, fewer than 60 are regulated by more than half the states, raising concerns about the quality and meaning of consumer protection.[3] Can a threat to the consumer exist in one jurisdiction and not another? Or have some occupations and professions sought and received licensure for reasons other than consumer protection?

Why License Professions?

Occupational and professional groups seek licensure for many reasons: it offers practitioners an opportunity for increased status, it can lead to increased economic benefits (e.g., third-party reimbursement), and it offers mechanisms for keeping unqualified or unscrupulous practitioners from engaging in the occupations or professions. Regardless of why professions seek licensure, **protection of the public's health, safety and welfare** is the sole reason legislators should consider in regulation.

The benefits of protecting the public from incompetent practitioners are not without negative side effects, however. There are even those who would argue that almost all licensing laws exist primarily to provide benefits to

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the members of occupational groups and only incidentally to protect the public.[4] By restricting the number of people entering a profession, licensure can result in increased costs to consumers. It also can result in a shortage of licensed professional services in certain geographic areas. In many fields, auxiliaries have been underused or their ability to work independently has been hampered. Moreover, state laws frequently place restrictions on advertising and on various business structures and practices. In recent years, the Federal Trade Commission has conducted numerous investigations into state licensing rules dealing with such restrictions.[5]

Traditionally, licensure has focused on testing applicants for their suitability for initial licensure, ensuring only that applicants meet a minimum standard at their entry into occupations and professions. There has been less legislative concern about the competence and performance of practitioners after licensure is granted, although mandatory continuing education is required by many professions. In recent years, discussion has focused on whether continuing education actually maintains a licensee's competence. It is possible that other forms of continuing competency assurance may be more appropriate to protect the public from practitioner incompetence.

State officials and legislators concerned with occupational and professional licensing today face at least five major issues: 1) setting appropriate criteria for determining which of the growing number of groups requesting licensure should receive it; 2) establishing appropriate standards for licensee entrance into the profession; 3) evaluating the organization, structure, composition and performance of licensure boards; 4) assessing the continuing competence of licensed practitioners; and 5) creating mechanisms for exchanging information.

Organization of Licensure Boards

Until the early 1980s, a majority of state licensure boards were organizationally autonomous.[6] Over 35 states now have established a central agency for some or all licensure boards. Central agencies differ widely in their responsibilities and the extent of statutory authority over board decisions. In most states, the central agency is responsible for administrative functions such as processing applications, issuing licenses, record keeping, fee collection and routine correspondence, while the boards continue to conduct examinations, exercise disciplinary authority and draft administrative regulations. In other states, the central agency's authority extends to board personnel, budgets, investigations and examinations. Opponents of the trend toward centralization contend that it adds to bureaucracy and red tape and reduces the licensure authority's responsiveness to licensee needs and citizen complaints. Further, they argue that individual licensure boards with a preponderance of professional members best understand the issues of examinations, professional practice and discipline.

The composition of licensure boards has changed in recent years as well. Traditionally, boards were comprised exclusively of members of the regulated profession. Most states now place one or more public members on licensure boards. A related trend adds practitioners who are specialists or auxiliaries to the regulated profession, such as adding a dental hygienist to a board of dentistry.

While states continue to add public members to licensing boards, the debate continues about whether public members are effective. To help train public members as effective consumer advocates, the American Association of Retired Persons (AARP) has established a Citizen Representation Program designed to involve older citizens on boards.

When to License?

In the United States, five generally accepted criteria indicate when licensure is appropriate: (1) unregulated practice of the occupation poses a serious risk to a consumer's life, health, safety or economic well-being, and the potential for harm is recognizable and likely to occur; (2) the practice of the occupation requires a high degree of skill, knowledge and training; (3) the functions and responsibilities of the practitioner require independent judgment and the members of the occupational group practice independently; (4) the scope-of-practice of the occupation is distinguishable from other licensed and unlicensed occupations; and (5) the economic impact on the public of regulating this occupational group is justified. Failure to meet these criteria, in general, indicates that licensure is not justified, or that some less restrictive type of regulation, such as registration or certification, may be appropriate.

A quite different proposal for licensure has been developed by Ontario's Ministry of Health, and has succeeded in gaining support from the professions involved. This plan is based on the concept that, among the health professions, it is the performance of certain acts that pose a threat to the public and it is those acts that should be licensed.[7]

Sunrise/Sunset

Sunset is the automatic termination of regulatory boards and agencies unless legislative action is taken to reinstate them. First proposed by Colorado in 1976, sunset was later passed by 36 states. The process has not resulted in the predicted wholesale deregulation of licensed professions. The most common outcomes of sunset performance reviews have been administrative and structural changes. Several states (e.g., Arkansas, Mississippi, Nebraska, New Hampshire, North Carolina and Wyoming) have repealed their sunset laws, while others (e.g., Connecticut, Illinois, Montana, Nevada, Rhode Island and South Dakota) have inactivated the review process while leaving the laws on the books. (See Table 3.33 for a summary of sunset legislation in the states.)[8]

Each year, state legislatures are approached by numerous occupations requesting state regulation, and issues surrounding licensure crowd the legislative agendas. To help legislators establish licensure criteria, at least 19 states have instituted formal "sunrise" processes.[9] Under sunrise programs, professional groups usually draft legislation providing for regulation of the profession and then attempt to convince legislators of its necessity. A legislative or legislatively-enacted body reviews applications for state regulation from representatives of the unregulated occupation. Generally, the process includes a series of questions designed to measure the costs and benefits of, and need for, regulation. The reviewing body then recommends to the legislature whether and what type of regulation is appropriate.[10] Restricting the number of new boards may be more effective than trying to eliminate existing ones.[11]

Enforcement and Disciplinary Procedures

At both the state and federal level, identifying and taking appropriate disciplinary measures against incompetent practitioners remain a high priority for state legislators and regulators. Legislatures have increased funding for enforcement functions, and practice acts have been amended to expand the disciplinary sanctions available to regulators beyond suspension and revocation. Additional sanctions include administrative fines, reprimand and probation. State licensing boards increasingly are developing policies to deal with practitioners who abuse drugs or alcohol. Many now refer abusers to treatment programs for rehabilitation when possible, and track practitioners' successes and failures after treatment.

Despite such state initiatives, Congress has authorized the U.S. Department of Health and Human Services to implement a national data bank on disciplinary actions taken against dentists and physicians.[12] When first considered, the National Practitioner Data Bank (NPDB) was to contain information on all clinical privilege losses, licensure disciplinary actions, malpractice payments and professional society membership losses on all licensed health practitioners. However, plans for a comprehensive data bank have not been realized.

Examinations

In most occupations and professions, licensure examination results are the last significant basis for determining whether or not an individual should be licensed. Although this phase is critical, too often resources are not available for boards or agencies to ensure that the examinations used are valid, reliable and defensible.

The development of quality licensure examinations is time-consuming and complex. Examinations *must*: 1) be job-related and based on well-designed and competently conducted job analyses; 2) be based on a set of appropriate, consistently-used test specifications; 3) be well-written measures of the knowledge, skills and abilities required of someone entering the profession; 4) have cut scores that are objectively determined and reflective of the *minimum level of acceptable competency* necessary to protect the public; and 5) be administered in a secure, fair and impartial manner.

Whether a board or agency uses a national examination, contracts with an outside agency to produce an examination, or develops an examination in-house, it is essential that the above steps be followed. Boards should become familiar with and adhere to the 1985 *Standards for Educational and Psychological Testing.*[13] Above all else, licensure examinations must be a measure of competency, and *not* a measure of a person's academic achievement or performance compared to others in the profession. If an examination is challenged in court and found to be in noncompliance with these standards, the examination could be determined invalid for *all* candidates. The board may be required to develop a new, valid examination quickly and administer it to all individuals tested by the old examination. Although courts generally have supported the actions of professional licensing boards, it is essential that good testing practices be followed.

Effective January 1992, the **Americans with Disabilities Act** (ADA) presented boards and agencies with another set of test development and administration requirements. Under ADA provisions, all licensure candidates, regardless of disability, must be given the opportunity to take examinations that do not discriminate on the basis of disability. Special accommodations may include readers, extra time, separate testing rooms, persons to record responses, braille, large print and so forth. All necessary accommodations must be made at no charge to the candidate. Boards and agencies must establish procedures for handling such requests as well as for any grievances that may occur. Finally, each agency must designate an individual to serve as its ADA coordinator.

A recent trend in licensure testing is computerization. Computers can be used to administer traditional paper-and-pencil examinations or they can be used to select individual items for each candidate based upon the candidate's response to the previous item (computer adaptive testing). In either situation, the candidate generally can receive results immediately rather than waiting several weeks. The use of computerized examinations or computer adaptive testing is likely to become more prevalent in the next decade.

At least 10 states have established testing offices within umbrella licensing agencies. Personnel in these offices are trained in psychometrics (testing) and serve the various boards housed within the agency. To handle psychometrics adequately, independent boards or umbrella agencies without testing offices must use the services of independent consultants or private testing agencies to ensure their examinations meet required standards. Another form of assistance to boards who do not have in-house testing consultants is the *CLEAR Examination Review*, a twice-yearly publication that provides a variety of testing information for officials who must be knowledgeable about testing and yet are not experts in the field.

Mobility

Varying state requirements pose barriers to licensed professionals who seek to change states or hold licenses in several states. For instance, although all states might use a "national" examination, each may have a different required cut or passing score. If states or the professions do not coordinate standards, the federal government may establish such standards. Many state officials have argued that it would be better if states voluntarily implemented consistent requirements across state lines, rather than having standards forced upon them by federal mandate. Corrective state measures could help ease the lack of qualified professionals and serve consumers by providing badly needed services in rural and some inner city areas.

International agreements that are less restrictive than those among states may result in the lessening of state barriers to practice. A new licensure model that eliminates many of these barriers has been adopted by the countries that comprise the European Community (EC). Licensed professionals who provide client or patient services will be able to practice freely in any of the member countries. A striking feature of the plan is that language competency cannot be required as a condition for reciprocity. The member countries have agreed that meeting the requirements for professional licensure in one country is sufficient for practicing in any of the others. In addition, the Canadian-U.S. Free Trade Agreement permits reciprocal movement of professionals, and similar agreements are expected between the U.S. and Central and South American countries.[13]

Exchanging Information

Responding to the expressed need for a forum to share information and discuss common problems, state licensing officials formed the Council on Licensure, Enforcement and Regulation (CLEAR) in 1980.

CLEAR, with staff support from The Council of State Governments, maintains an information library on state licensing practices and procedures. Its publications provide comparative state information on model investigative practices, licensing structures, sunset audits, public membership and financing patterns. CLEAR also offers an annual national conference, regional meetings, training programs for investigators, and a newsletter providing information exchange on licensing in general.

To assist states with enforcement information exchange, CLEAR has established the National Disciplinary Information System. The system provides information to states on disciplinary actions taken by states against licensed practitioners.

The Future

With the dramatic increase in federal interest in occupational and professional licensure, and the shortages of manpower and fiscal resources, states have two apparent options: develop a closer, more unified working relationship with each other or relinquish regulatory control to the federal government or the professions themselves. While consumers are requesting stronger regulatory control, others, including some of the professions, are suggesting that standards be relaxed or are discussing the concept of self-regulation.

Reaching consensus on how to serve the public best is a major task facing states. States need to: 1) re-examine standards for credentialing and practice; 2) review existing scopes of practice; 3) re-examine the credentialing categories and titles in use; 4) provide for shortage situations, if appropriate; 5) review barriers to mobility;[14] and 6) evaluate cross-training of practitioners.

Notes

[1] Kara Schmitt, "Licensing and Regulation: States vs. the Federal Government" in *Restoring Balance in the Federal System*, 1989, The Council of State Governments, (Lexington, KY: 1988).

[2] See *Occupational Licensing: Questions A Legislator Should Ask*, The Council of State Governments (Lexington, KY: 1978) for further information on the types of regulation and the questions to answer in deciding among them. For a brief description of the regulatory system and a cogent discussion of key occupational licensing issues, see Benjamin Shimberg, *Occupational Licensing, A Public Perspective*, Educational Testing Service (Princeton, NJ: 1982).

[3] *Occupations and Professions Regulated in the States: A Comprehensive Compilation*, the Council on Licensure, Enforcement and Regulation (Lexington, KY: 1989).

[4] Benjamin Shimberg, "Regulation in the Public Interest: Myth or Reality?," *Resource Briefs*, the Council on Licensure and Enforcement (Lexington, KY: 1991).

[5] The Federal Trade Commission has looked into board rules regarding restrictions on promotional activity, rules against referral fees, rules against the use of non-licensees to sell professional services, restrictions on payment mechanisms, restrictions on the form in which licensees can practice, restrictions on branch offices, and restrictions on the use of computers to share prescription information among pharmacies. The professions examined include architects, engineers, the funeral industry, lawyers, physicians and other health care

specialists, including optometry, and surveyors. Michael McNeely, "An Overview of Recent Federal Trade Commission Investigations and Decisions," the annual conference of the Council on Licensure, Enforcement and Regulation, September 9, 1990, Indianapolis, Indiana.

[6] See *Centralizing State Licensing Functions*, The Council of State Governments (Lexington, KY: 1980).

[7] *Striking a New Balance: a Blueprint for the Regulation of Ontario's Health Professions*, Ontario Ministry of Health (Ontario, CN: 1988).

[8] Richard C. Kearney, "Sunset: A Survey and Analysis of the State Experience," *Public Administration Review* (January/February 1990).

[9] Personal Communication, David A. Montgomery, Nebraska Department of Health (October 1991).

[10] For detailed information on state sunrise programs, see *State Sunrise Programs: Deciding When to Regulate Occupations*, The Council of State Governments (Lexington, KY: 1986).

[11] Karen Diegmueller, "Sunrise, Sunset Cut Costs," *State Government News*, (October 1990)

[12] Under Title IV of the Health Care Quality Improvement Act of 1986 and Section 5 of the Medicare-Medicaid Patient and Program Protection Act of 1987.

[13] Nationally accepted guidelines are contained in *The Standards for Educational and Psychological Testing*, American Psychological Association (Washington, DC: 1985).

[14] Thomas J. Mulcair, "Reciprocity, Mobility and Foreign Credentialing," delivered at the 11th annual meeting of the Council on Licensure, Enforcement and Regulation (Fort Lauderdale, Florida, September 20, 1991).

TABLE 8.29
STATE REGULATION OF SELECTED NON-HEALTH OCCUPATIONS AND PROFESSIONS: 1991

State or other jurisdiction	*Accountant, Certified Public*	*Architect*	*Auctioneer*	*Barber*	*Cosmetologist*	*Embalmer*	*Engineer, Professional*	*Funeral Director*	*Insurance Agent*	*Insurance Broker*	*Landscape Architect*	*Polygraph Examiner*	*Real Estate Agent*	*Real Estate Broker*	*Surveyor, Land*
Alabama	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Alaska	L	L	. . .	L	L	L	L	L	L	L	. . .	. . .	L	L	L
Arizona	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Arkansas	L	L	. . .	L	L	L	L	L	L	L	L	L	L	L	L
California	L	L	L	L	L	L	L	L	L	L	L	. . .	L	L	L
Colorado	L	L	. . .	L	L	L	L	L	L	L	. . .	. . .	L	L	L
Connecticut	L	L	. . .	L	L	L	L	L	L	L	L	. . .	L	L	L
Delaware	L	L	. . .	L	L	L	L	L	L	L	L	. . .	L	L	L
Florida	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Georgia	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Hawaii	L	L	L	L	L	L	L	L	L	L	L	. . .	L	L	L
Idaho	L	L	. . .	L	L	L	L	L	L	L	L	. . .	L	L	L
Illinois	L	L	. . .	L	L	L	L	L	L	L	. . .	L	L	L	L
Indiana	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Iowa	L	L	. . .	L	L	L	L	L	L	L	C	L	L	L	L
Kansas	L	L	. . .	L	L	L	L	L	L	L	L	L	L	L	L
Kentucky	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Louisiana	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Maine	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Maryland	L	L	. . .	L	L	L	L	L	L	L	L	. . .	L	L	L
Massachusetts	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Michigan	L	L	. . .	L	L	L	L	L	L	L	R	L	L	L	L
Minnesota	L	L	L	L	L	L	L	L	L	L	L	. . .	L	L	L
Mississippi	L	L	. . .	L	L	L	L	L	L	L	. . .	L	L	L	L
Missouri	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Montana	L	L	. . .	L	L	L	L	L	L	L	L	L	L	L	L
Nebraska	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Nevada	L	L	. . .	L	L	L	L	L	L	L	L	L	L	L	L
New Hampshire	L	L	. . .	L	L	L	L	L	L	L	. . .	. . .	L	L	L
New Jersey	L	L	. . .	L	L	L	L	L	L	L	L	. . .	L	L	L
New Mexico	L	L	. . .	L	L	L	L	L	L	L	L	L	L	L	L
New York	L	L	. . .	L	L	L	L	L	L	L	L	L	L	L	L
North Carolina	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
North Dakota	L	L	L	L	L	L	L	L	L	L	. . .	L	L	L	L
Ohio	L	L	L	L	L	L	L	L	L	L	L	. . .	L	L	L
Oklahoma	L	L	. . .	L	L	L	L	L	L	L	. . .	L	L	L	L
Oregon	L	L	. . .	L	L	L	L	L	L	L	L	L	L	L	L
Pennsylvania	L	L	L	L	L	L	L	L	L	L	L	. . .	L	L	L
Rhode Island	L	L	L	L	L	L	L	L	L	L	L	. . .	L	L	L
South Carolina	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
South Dakota	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Tennessee	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Texas	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Utah	L	L	. . .	L	L	L	L	L	L	L	L	L	L	L	L
Vermont	L	L	. . .	L	L	L	L	L	L	L	. . .	L	L	L	L
Virginia	L	L	. . .	L	L	. . .	L	L	L	L	C	L	L	L	L
Washington	L	L	. . .	L	L	L	L	L	L	L	L	. . .	L	L	L
West Virginia	L	L	. . .	L	L	L	L	L	L	L	L	L	L	L	L
Wisconsin	L	L	. . .	L	L	L	L	L	L	L	. . .	. . .	L	L	L
Wyoming	L	L	. . .	L	L	L	L	L	L	L	. . .	. . .	L	L	L
Dist. of Columbia	L	L	L	L	L	L	L	L	L	L	L	. . .	L	L	. . .

Source: Council on Licensure, Enforcement and Regulation, *Issues in Professional Regulation*, 1991, and various national associations of state boards.

Key:
C — Certification
L — Licensure
R — Registration

Table 8.30
STATE REGULATION OF HEALTH OCCUPATIONS AND PROFESSIONS: 1991

State or other jurisdiction	*Acupuncturist*	*Chiropractor*	*Counselor, Professional*	*Counselor, Alcoholism*	*Counselor, Drug*	*Counselor, Pastoral*	*Counselor, Substance Abuse*	*Dentist*	*Dental Assistant*	*Dental Hygenist*	*Denturist*	*Dietitian*	*Emergency Medical Technologist*	*Hearing Aid Dealer & Fitter*	*Homeopath*
Alabama	. . .	L	L	. . .	. . .	. . .	. . .	L	. . .	L	. . .	L	L	L	. . .
Alaska	L	L	. . .	. . .	. . .	. . .	. . .	L	. . .	L	. . .	. . .	L	R	. . .
Arizona	L	L	. . .	. . .	. . .	. . .	. . .	L	. . .	L	L	. . .	L	L	L
Arkansas	L	L	L	. . .	. . .	. . .	. . .	L	R	L	. . .	L	L	L	. . .
California	L	L	. . .	. . .	. . .	. . .	. . .	L	R	L	. . .	C	L	L	. . .
Colorado	L	L	L	C	C	. . .	C	L	. . .	L	. . .	. . .	L	L	. . .
Connecticut	. . .	L	. . .	. . .	. . .	. . .	. . .	L	. . .	L	. . .	. . .	L	L	L
Delaware	. . .	L	L	. . .	. . .	. . .	. . .	L	. . .	L	. . .	. . .	L	L	. . .
Florida	L	L	L	C	. . .	L	. . .	L	C	L	. . .	L	L	L	. . .
Georgia	. . .	L	L	. . .	. . .	. . .	. . .	L	. . .	L	. . .	L	L	L	. . .
Hawaii	L	L	. . .	. . .	. . .	. . .	. . .	L	. . .	L	. . .	. . .	L	L	. . .
Idaho	. . .	L	L	. . .	. . .	. . .	. . .	L	. . .	L	L	. . .	L	L	. . .
Illinois	L	L	. . .	. . .	. . .	. . .	. . .	L	. . .	L	. . .	L	L	L	. . .
Indiana	. . .	L	. . .	. . .	. . .	. . .	. . .	L	. . .	L	. . .	. . .	L	L	. . .
Iowa	. . .	L	. . .	. . .	. . .	. . .	. . .	L	C	L	. . .	L	L	L	. . .
Kansas	. . .	L	L	. . .	. . .	. . .	. . .	L	. . .	L	. . .	L	L	L	. . .
Kentucky	. . .	L	. . .	. . .	. . .	. . .	. . .	L	C	L	. . .	C	C	L	. . .
Louisiana	L	L	. . .	. . .	C	. . .	C	L	. . .	L	. . .	L	L	L	. . .
Maine	L	L	L	. . .	R	L	R	L	. . .	L	L	L	L	L	. . .
Maryland	L	L	L	. . .	L	. . .	L	L	C	L	. . .	L	L	L	. . .
Massachusetts	L	L	. . .	. . .	. . .	. . .	. . .	L	C	L	. . .	. . .	L	. . .	. . .
Michigan	. . .	L	. . .	. . .	. . .	. . .	. . .	L	R	L	. . .	. . .	L	L	. . .
Minnesota	. . .	L	. . .	. . .	. . .	R	. . .	L	R	L	. . .	. . .	L	L	. . .
Mississippi	. . .	L	L	. . .	C	. . .	C	L	C	L	. . .	L	L	L	. . .
Missouri	. . .	L	L	. . .	. . .	. . .	. . .	L	. . .	L	. . .	. . .	L	L	. . .
Montana	L	L	L	. . .	. . .	. . .	. . .	L	C	L	L	. . .	L	L	. . .
Nebraska	. . .	L	L	. . .	. . .	. . .	. . .	L	. . .	L	. . .	C	L	L	. . .
Nevada	L	L	. . .	. . .	. . .	. . .	. . .	L	C	L	. . .	. . .	L	L	L
New Hampshire	. . .	L	. . .	. . .	. . .	C	. . .	L	. . .	L	. . .	. . .	L	L	. . .
New Jersey	L	L	. . .	. . .	. . .	. . .	. . .	L	R	L	. . .	. . .	L	L	. . .
New Mexico	L	L	. . .	. . .	. . .	. . .	. . .	L	C	L	. . .	L	L	L	. . .
New York	L	L	. . .	L	L	. . .	L	L	. . .	L	. . .	C	L	L	. . .
North Carolina	. . .	L	L	. . .	. . .	. . .	. . .	L	C	L	. . .	L	L	L	. . .
North Dakota	. . .	L	L	. . .	L	. . .	L	L	. . .	L	. . .	L	L	L	. . .
Ohio	L	L	L	. . .	. . .	. . .	. . .	L	R	L	. . .	L	L	L	. . .

Key:
C — Certification
L — Licensure
R — Registration
* — Enabling legislation
. . . — Not regulated

STATE REGULATION OF HEALTH OCCUPATIONS AND PROFESSIONS: 1991—Continued

State or other jurisdiction	*Acupuncturist*	*Chiropractor*	*Counselor, Professional*	*Counselor, Alcoholism*	*Counselor, Drug*	*Counselor, Pastoral*	*Counselor, Substance Abuse*	*Dentist*	*Dental Assistant*	*Dental Hygenist*	*Denturist*	*Dietitian*	*Emergency Medical Technologist*	*Hearing Aid Dealer & Fitter*	*Homeopath*
Oklahoma	. . .	L	L	. . .	. . .	. . .	. . .	L	C	L	L	L	L	L	. . .
Oregon	L	L	. . .	. . .	. . .	. . .	. . .	L	C	L	C	C	L	L	. . .
Pennsylvania	L	L	. . .	. . .	. . .	. . .	. . .	L	. . .	L	. . .	. . .	L	L	. . .
Rhode Island	L	L	. . .	. . .	. . .	. . .	. . .	L	. . .	L	. . .	. . .	L	L	. . .
South Carolina	L	L	L	. . .	. . .	. . .	. . .	L	. . .	L	. . .	. . .	L	L	. . .
South Dakota	. . .	L	L	. . .	. . .	. . .	. . .	L	C	L	. . .	. . .	L	L	. . .
Tennessee	L	L	L	. . .	. . .	. . .	. . .	L	. . .	L	. . .	L	L	L	. . .
Texas	L	L	L	. . .	L	. . .	L	L	. . .	L	. . .	C	L	L	. . .
Utah	L	L	L	. . .	. . .	. . .	. . .	L	C	L	. . .	C	L	L	. . .
Vermont	L	L	. . .	. . .	. . .	. . .	. . .	L	C	L	. . .	. . .	C	. . .	. . .
Virginia	L	L	L	C	C	L	. . .	L	C	L	. . .	. . .	L	L	. . .
Washington	L	L	. . .	. . .	. . .	. . .	. . .	L	. . .	L	. . .	C	L	L	. . .
West Virginia	R	L	L	. . .	. . .	. . .	. . .	L	. . .	L	. . .	. . .	L	L	. . .
Wisconsin	L	L	. . .	. . .	. . .	. . .	. . .	L	. . .	L	. . .	. . .	L	L	. . .
Wyoming	. . .	L	L	. . .	. . .	. . .	. . .	L	C	L	. . .	. . .	L	L	. . .
Dist. of Columbia	L	L	. . .	. . .	. . .	. . .	. . .	L	. . .	L	. . .	L	L	. . .	. . .
Puerto Rico	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .

Key:
C — Certification
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. . . — Not regulated

STATE ENVIRONMENTAL AND NATURAL RESOURCE SPENDING, FISCAL YEAR 1988—Continued

State	*Air quality*	*Drinking water*	*Forestry*	*Fish & wildlife*	*Geological survey*	*Hazardous waste*	*Land management*	*Marine & coastal programs*	*Nuclear waste*	*Pesticides control*	*Soil conservation*	*Mining reclamation*	*Solid waste*	*Water quality*	*Water resource management*
Virginia	5,583	2,015	19,728	31,735	3,351	2,781	15,070	15,112	130	307	6,683	12,716	7,156	24,484	5,297
Washington	5,618	10,433	41,074	67,665	1,424	10,405	18,683	7,300	37	4,972	. . .	393	17,153	50,224	7,392
West Virginia	1,600	1,353	4,000	12,000	1,900	1,300	275	N.A.	. . .	295	800	23,766	4,400	4,500	(a)
Wisconsin	4,671	3,215	23,346	32,386	1,440	(b)	. . .	1,895	N.A.	717	. . .	150	8,090	90,458	2,411
Wyoming	890	(a)	1,062	20,974	747	175	2,128	N.A.	N.A.	25,200	193	33,326	185	1,886	66,460

Source: The Council of State Governments, *Resource Guide to State Environmental Management, Second Edition*, 1990.

Note: The period covered is fiscal year 1988, which ended on June 30, 1988, for most states. The figures represented in this table were taken from executive and/or legislative budget documents which listed the actual FY 1988 expenditures. In cases where the budgetary figures could not be obtained from such documents, actual expenditures were requested from the appropriate agency officials.

The expenditures totals provided here are combinations of state, federal and other (fees, fines, licenses, etc.) monies which have passed through the state budgetary process. While local government commitments to environmental protection are very substantial in many states, the totals presented herein will reflect only that portion of the local effort that has been passed through the state budget.

Categories may include monies expended on an environmental topic from several agencies, even though there may be designated only one lead agency. The objective was to combine all related expenditures throughout the state within a function-specific category in order to present a more accurate measure of the state's total effort on each particular category of expenditures. In most instances, any discrepancy from a particular agency's record of its expenditures may plausibly be explained by the definitions assigned to the 15 environmental and natural resource categories in the review. In other instances, several agencies' expenditures are combined. In those agencies where administrative overhead was listed as a separate agency-wide item, the overhead has been prorated to each of the agencies' subunits. The total state environmental expenditures should reflect, as far as funding is concerned, the individual state's commitment to environmental and natural resource programming.

The following definitions were used during the compilation of the environmental and natural resources expenditures: **Air Quality**—funds used to administer the states' clean air laws and the Clean Air Act; **Drinking Water**—funds used to administer the Safe Drinking Water Act, as well as state public drinking water laws, including laboratory testing, and monitoring systems constructions and maintenance; **Forestry**—funds used to manage and protect the state's forest resources; **Fish & Wildlife**—funds used to protect, manage and enhance fish and wildlife resources and enforce the state's fish and game laws; **Geological Survey**—funds used to conduct research on the state's terrain, mineral resources, and possible geological hazards such as earthquakes, faults, volcanoes, etc.; **Hazardous Waste**—funds used to develop and maintain a comprehensive hazardous waste management program (which could also include remediation of Superfund sites and incidence of leaking underground storage tanks); **Land Management**—funds used to manage state-owned or state-administered land resources (including rangelands and wetlands) not identified as state parks or recreation areas; **Marine & Coastal Programs**—funds used to plan and implement programs for the orderly development and research of coastal zones (including Federal Sea Grants and related spending); **Nuclear Waste**—funds used to develop and maintain comprehensive low level and high level nuclear waste management program; **Pesticides Control**—funds used to regulate the sale, use content and disposal of agricultural and/or commercial pesticides; **Soil Conservation**—funds used to coordinate and operate programs to conserve and protect the state's soil resources (which may include erosion and sediment control); **Surface Mining**—funds used to enforce mining reclamation standards, clean-up of abandoned mined lands and/or administer state reclamation programs; **Solid Waste**—funds used to develop and maintain solid waste management programs (including litter control and sustained and pilot recycling programs); **Water Quality**—funds used to develop and maintain water quality protection programs and water pollution abatement programs (including requisite criteria of the Clean Water Act); **Water Resource Management**—funds used to administer the state's water conservation, development, use and planning programs. See above referenced source for more detailed information.

Key:

. . . — Data not available
N.A. — Not applicable
(a) Amount included in Water Quality.
(b) Amount included in Solid Waste.
(c) Amount included in Hazardous Waste.
(d) Amount included in Water Resources.
(e) Amount included in Geological Survey.
(f) Amount included in Air Quality.
(g) Amount included in Forestry.
(h) Amount included in Marine/Coastal.
(i) Amount included in Land Management.
(j) State provided data for 1987.
(k) Amount included in Mining Reclamation.

STATE REGULATION OF HEALTH OCCUPATIONS AND PROFESSIONS: 1991—Continued

State or other jurisdiction	*Massage Therapist*	*Medical Technologist*	*Nuclear Medicine Technologist*	*Nurse, Licensed Practical*	*Nurse Midwife*	*Nurse Practitioner*	*Nurse, Registered*	*Nursing Home Administrator*	*Occupational Therapist*	*Occupational Therapy Assistant*	*Optician*	*Optometrist*	*Osteopath*	*Pharmacist*	*Pharmacy Technician*
Alabama	. . .	. . .	. . .	L	L	. . .	L	L	L	L	L	L	L	L	. . .
Alaska	. . .	. . .	. . .	L	L	C	L	L	L	L	L	L	L	L	. . .
Arizona	L	. . .	. . .	L	L	C	L	L	L	L	L	L	L	L	. . .
Arkansas	. . .	. . .	. . .	L	L	C	L	L	L	L	L	L	L	L	. . .
California	. . .	L	L	L	L	C	L	L	C	C	L	L	L	L	. . .
Colorado	. . .	. . .	. . .	L	C	C	L	L	. . .	. . .	. . .	L	L	L	. . .
Connecticut	. . .	L	. . .	L	C	C	L	L	L	L	L	L	L	L	. . .
Delaware	. . .	. . .	L	L	C	C	L	L	L	L	. . .	L	L	L	. . .
Florida	L	L	L	L	L	C	L	L	L	L	L	L	L	L	. . .
Georgia	. . .	L	. . .	L	L	C	L	L	L	L	L	L	L	L	. . .
Hawaii	L	L	. . .	L	C	. . .	L	L	C	C	L	L	L	L	L
Idaho	. . .	. . .	. . .	L	L	C	L	L	L	L	. . .	L	L	L	. . .
Illinois	. . .	C	L	L	L	. . .	L	L	L	L	. . .	L	L	L	L
Indiana	. . .	. . .	. . .	L	L	. . .	L	L	C	C	. . .	L	L	L	. . .
Iowa	. . .	. . .	*	L	L	C	L	L	L	L	. . .	L	L	L	. . .
Kansas	. . .	. . .	. . .	L	L	C	L	L	R	R	L	L	L	L	. . .
Kentucky	. . .	. . .	*	L	L	C	L	L	L	L	L	L	L	L	. . .
Louisiana	. . .	. . .	L	L	L	C	L	L	L	L	. . .	L	L	L	. . .
Maine	. . .	C	L	L	L	C	L	L	L	L	. . .	L	L	L	. . .
Maryland	. . .	. . .	L	L	L	C	L	L	L	L	. . .	L	L	L	. . .
Massachusetts	. . .	L	L	L	L	C	L	L	L	L	L	L	L	L	L
Michigan	. . .	L	. . .	L	L	C	L	L	R	R	. . .	L	L	L	. . .
Minnesota	. . .	. . .	*	L	L	. . .	L	L	R	R	. . .	L	L	L	. . .
Mississippi	. . .	. . .	. . .	L	L	C	L	L	L	L	. . .	L	L	L	L
Missouri	. . .	. . .	. . .	L	L	. . .	L	L	C	C	. . .	L	L	L	. . .
Montana	. . .	L	. . .	L	L	L	L	L	L	L	. . .	L	L	L	. . .
Nebraska	L	L	L	L	L	L	L	L	L	L	. . .	L	L	L	. . .
Nevada	. . .	L	. . .	L	L	C	L	L	L	L	L	L	L	L	L
New Hampshire	. . .	. . .	. . .	L	L	L	L	L	L	L	. . .	L	L	L	. . .
New Jersey	. . .	. . .	L	L	L	C	L	L	. . .	. . .	L	L	L	L	. . .
New Mexico	L	. . .	L	L	C	L	L	L	L	L	. . .	L	L	L	. . .
New York	L	. . .	. . .	L	C	L	L	L	L	R	L	L	L	L	. . .
North Carolina	. . .	. . .	. . .	L	C	C	L	L	L	L	L	L	L	L	. . .
North Dakota	L	L	. . .	L	L	C	L	L	L	L	. . .	L	L	L	. . .
Ohio	L	. . .	. . .	L	L	. . .	L	L	L	L	L	L	L	L	. . .

Key:
C — Certification
L — Licensure
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* — Enabling legislation
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STATE REGULATION OF HEALTH OCCUPATIONS AND PROFESSIONS: 1991—Continued

State or other jurisdiction	*Massage Therapist*	*Medical Technologist*	*Nuclear Medicine Technologist*	*Nurse, Licensed Practical*	*Nurse Midwife*	*Nurse Practitioner*	*Nurse, Registered*	*Nursing Home Administrator*	*Occupational Therapist*	*Occupational Therapy Assistant*	*Optician*	*Optometrist*	*Osteopath*	*Pharmacist*	*Pharmacy Technician*
Oklahoma	...	...	...	L	L	C	L	L	L	L	...	L	L	L	...
Oregon	L	...	...	L	L	C	L	L	L	L	...	L	L	L	...
Pennsylvania	...	...	...	L	L	C	L	L	L	L	...	L	L	L	...
Rhode Island	L	...	...	L	C	...	L	L	L	L	L	L	L	L	L
South Carolina	...	...	...	L	L	C	L	L	L	L	L	L	L	L	...
South Dakota	...	...	...	L	L	L	L	L	L	L	...	L	L	L	...
Tennessee	...	L	...	L	L	C	L	L	L	L	L	L	L	L	...
Texas	L	R	L	L	L	C	L	L	L	L	...	L	L	L	...
Utah	...	...	•	L	C	C	L	L	L	L	...	L	L	L	...
Vermont	...	...	L	L	L	C	L	L	...	...	L	L	L	L	...
Virginia	...	...	...	L	L	L	L	L	C	...	L	L	L	L	...
Washington	L	...	...	L	L	C	L	L	L	L	...	L	L	L	...
West Virginia	...	L	...	L	L	...	L	L	L	L	...	L	L	L	L
Wisconsin	...	...	...	L	L	...	L	L	C	C	R	L	L	L	...
Wyoming	...	...	L	L	L	L	L	L	L	L	...	L	L	L	...
Dist. of Columbia	...	...	...	L	L	C	L	L	L	L	L	L	L	L	R
Puerto Rico	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

Key:
C — Certification
L — Licensure
R — Registration
• — Enabling legislation
. . . — Not regulated

STATE REGULATION OF HEALTH OCCUPATIONS AND PROFESSIONS: 1991—Continued

State or jurisdiction	Physical Therapist	Physical Therapy Assistant	Physician	Physician Assistant	Podiatrist	Psychologist	Radiologic Technologist	Radiation Therapy Technologist	Respiratory Therapist	Sanitarian	Social Worker	Speech-Language Pathologist & Aud.	Therapist, Marriage & Family	Veterinarian	Veterinary Technician
Alabama	L	L	L	C	L	L	. . .	. . .	. . .	L	L	L	. . .	L	R
Alaska	L	L	L	L	L	L	. . .	. . .	. . .	. . .	L	L	. . .	L	R
Arizona	L	. . .	L	C	L	L	L	L	L	L	L	L	C	L	C
Arkansas	L	L	L	C	L	L	. . .	. . .	L	L	L	L	. . .	L	C
California	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Colorado	L	. . .	L	C	L	L	. . .	. . .	. . .	. . .	L	. . .	C	L	. . .
Connecticut	L	. . .	L	L	L	L	. . .	. . .	C	L	L	L	C	L	C
Delaware	L	L	L	L	L	L	L	L	. . .	. . .	L	L	. . .	L	. . .
Florida	L	L	L	C	L	L	L	L	L	C	L	L	L	L	L
Georgia	L	L	L	C	L	L	. . .	. . .	C	L	L	L	L	L	R
Hawaii	L	. . .	L	C	L	L	L	L	. . .	L	L	L	. . .	L	. . .
Idaho	L	L	L	R	L	L	. . .	. . .	L	L	L	. . .	. . .	L	. . .
Illinois	L	L	L	L	L	L	L	L	. . .	C	L	L	L	L	. . .
Indiana	L	L	L	R	L	L	L	•	C	L	L	L		L	L
Iowa	L	L	L	L	L	L	L	•	L	. . .	L	L	. . .	L	R
Kansas	L	L	L	R	L	L	. . .	. . .	R	C	L	L	. . .	L	R
Kentucky	L	L	L	C	L	L	L	•	C	L	L	L	. . .	L	R
Louisiana	L	. . .	L	C	L	L	L	L	L	L	L	L	. . .	L	. . .
Maine	L	L	L	C	L	L	L	L	L	. . .	L	L	L	L	R
Maryland	L	L	L	C	L	L	L	L	C	L	L	L	. . .	L	R
Massachusetts	L	L	L	R	L	L	L	L	L	L	L	L	C	L	. . .
Michigan	L	. . .	L	L	L	L	•	. . .	. . .	L	L	R	C	L	L
Minnesota	L	. . .	L	R	L	L	. . .	. . .	C	L	L	. . .	L	L	R
Mississippi	L	. . .	L	. . .	L	L	. . .	. . .	L	L	L	L	. . .	L	R
Missouri	L	. . .	L	C	L	L	. . .	. . .	C	C	L	L	. . .	L	C
Montana	L	. . .	L	L	L	L	L	. . .	L	L	L	L	. . .	L	. . .
Nebraska	L	L	L	C	L	L	L	L	L	L	L	L	. . .	L	C
Nevada	L	L	L	C	L	L	. . .	. . .	. . .	L	L	L	L	L	L
New Hampshire	L	L	L	L	L	L	. . .	. . .	L	. . .	L	•	. . .	L	. . .
New Jersey	L	L	L	L	L	L	L	L	L	L	L	L	C	L	R
New Mexico	L	L	L	R	L	L	L	L	L	L	L	L	. . .	L	R
New York	L	C	L	R	L	L	L	L	. . .	L	L	L	. . .	L	R
North Carolina	L	L	L	R	L	L	. . .	. . .	. . .	L	L	L	C	L	R
North Dakota	L	L	L	R	L	L	. . .	. . .	L	. . .	L	L	. . .	L	C
Ohio	L	L	L	R	L	L	. . .	. . .	L	L	L	L	. . .	L	R

Key:
C — Certification
L — Licensure
R — Registration
• — Enabling legislation
. . . — Not regulated

STATE REGULATION OF HEALTH OCCUPATIONS AND PROFESSIONS: 1991—Continued

State or other jurisdiction	*Physical Therapist*	*Physical Therapy Assistant*	*Physician*	*Physician Assistant*	*Podiatrist*	*Psychologist*	*Radiologic Technologist*	*Radiation Therapy Technologist*	*Respiratory Therapist*	*Sanitarian*	*Social Worker*	*Speech-Language Pathologist & Aud.*	*Therapist, Marriage & Family*	*Veterinarian*	*Veterinary Technician*
Oklahoma	L	L	L	C	L	L	...	...	...	L	L	L	L	L	C
Oregon	L	L	L	R	L	L	L	L	L	L	L	L	...	L	C
Pennsylvania	L	L	L	C	L	L	...	...	...	C	L	L	...	L	C
Rhode Island	L	L	L	R	L	L	...	...	L	L	L	L	C	L	...
South Carolina	L	L	L	C	L	L	...	...	C	L	L	L	C	L	R
South Dakota	L	R	L	C	L	L	...	...	...	L	L	L	...	L	R
Tennessee	L	L	L	C	L	L	L	L	C	L	L	L	L	L	L
Texas	L	L	L	R	L	L	L	L	L	L	L	L	L	L	R
Utah	L	...	L	L	L	L	•	•	L	L	L	L	L	L	...
Vermont	L	L	L	C	L	L	L	L	...	...	L	...	...	L	...
Virginia	L	L	L	C	L	L	•	...	C	L	L	L	C	L	L
Washington	L	...	L	L	L	L	L	...	C	R	L	...	C	L	R
West Virginia	L	L	L	L	L	L	L	L	...	L	L	L	...	L	R
Wisconsin	L	...	L	C	L	L	L	...	L	L	•	L	...	L	C
Wyoming	L	L	L	C	L	L	L	L	...	...	L	L	C	L	R
Dist. of Columbia	L	....	L	L	L	L	...	...	R	...	L	...	...	L	...
Puerto Rico	...	L	...	...	...	...	L	L	...	...	L	...	...	...	...

Source: Council on Licensure, Enforcement and Regulation, *Issues in Professional Regulation*, 1991 and various national associations of state boards.

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. . . — Not regulated

TABLE 8.31
STATUS OF MANDATORY CONTINUING EDUCATION FOR SELECTED PROFESSIONS: 1991

State or other jurisdiction	*Architects*	*Certified Public Accountants*	*Dentists*	*Engineer, Professional*	*Lawyers*	*Nurses*	*Nursing Home Administrator*	*Optometry*	*Psychology*	*Pharmacy*	*Physical Therapist*	*Physicians*	*Real Estate*	*Social Work*	*Veterinary Medicine*
Alabama	E	★	★	E	★	★	★	★	...	★	E	E	★	★	★
Alaska	...	★	★	...	...	★	...	★	★	★	★	★	...	★	★
Arizona	E	★	...	...	★	...	★	★	...	★	...	★	★	★	★
Arkansas	...	★	...	...	★	...	★	★	E	★	...	E	★	★	★
California	...	★	★	...	★	★	★	★	...	★	...	★	★	...	...
Colorado	...	★	...	...	★	★	...	...	...	...	...	...	★	...	★
Connecticut	...	★	...	...	...	...	...	★	...	★	...	...	★	...	...
Delaware	...	★	★	...	★	...	★	★	★	★	★	★	★	★	★
Florida	E	★	★	...	★	★	★	★	★	★	...	★	★	★	★
Georgia	...	★	★	...	★	...	★	★	★	★	★	★	★	★	★
Hawaii	...	★	...	...	...	...	...	★	...	...	...	★	★	...	...
Idaho	...	★	...	...	★	...	★	★	★	★	...	...	★	...	★
Illinois	...	★	...	...	...	...	★	★	...	★	...	★	★	★	★
Indiana	...	★	★	...	★	...	★	★	...	★	...	...	...	...	E
Iowa	★	★	★	★	★	★	★	★	★	★	★	★	★	★	★
Kansas	...	★	★	...	★	★	★	★	★	★	★	★	★	★	★
Kentucky	...	★	★	...	★	★	★	★	...	★	...	E	...	E	★
Louisiana	E	★	...	...	★	★	★	★	★	★	...	...	★	★	★
Maine	...	★	★	...	...	...	★	★	★	★	...	★	★	★	★
Maryland	...	★	E	...	...	...	★	★	★	★	E	★	★	★	★
Massachusetts	...	★	★	...	...	★	★	★	★	★	...	★	...	★	...
Michigan	...	★	★	...	S	E	★	★	E	★	...	★	★	...	...
Minnesota	E	★	★	E	★	★	★	★	E	★	...	★	★	★	...
Mississippi	...	★	...	...	★	S	★	★	...	★	...	...	★	...	★
Missouri	...	★	...	...	★	...	★	★	...	★	...	★	★	E	...
Montana	...	★	...	...	★	...	★	★	...	★	E	...	★	★	★
Nebraska	...	★	★	...	...	★	★	★	...	★	...	E	★	★	★
Nevada	...	★	★	...	★	★	★	★	★	★	★	★	★	★	★
New Hampshire	E	★	★	...	...	★	★	★	★	★	S	★	★	...	★
New Jersey	E	★	...	...	...	...	★	★	...	★	...	...	...	★	...
New Mexico	E	★	★	...	★	★	★	★	★	★	★	★	★	★	★
New York	...	★	...	...	...	...	★	...	...	...	...	...	★	...	...
North Carolina	E	★	...	...	★	...	★	★	E	★	...	...	...	★	★
North Dakota	...	★	★	...	★	...	★	★	...	★	★	...	★	★	★
Ohio	...	★	★	...	★	★	★	★	...	★	...	★	★	★	★
Oklahoma	...	★	★	...	★	...	★	★	★	★	...	...	★	S	★
Oregon	...	★	★	...	★	S	★	★	★	★	...	...	★	S	★
Pennsylvania	...	★	...	...	...	...	★	★	★	★	...	S	...	E	★
Rhode Island	...	★	★	...	...	...	...	★	★	★	...	★	★	...	...
South Carolina	...	★	...	...	★	...	★	★	★	★	...	...	...	S	★
South Dakota	...	★	★	...	...	...	★	★	...	★	★	...	★	★	★
Tennessee	...	★	★	...	★	...	★	★	...	★	...	...	★	...	★
Texas	...	★	...	...	★	★	★	★	E	★	★	...	★	★	...
Utah	...	★	...	...	★	...	★	★	★	...	...	...	...	...	...
Vermont	...	★	...	...	★	...	...	★	★	★	...	...	★	...	...
Virginia	...	...	...	...	★	...	★	★	...	...	...	...	★	★	...
Washington	...	★	...	...	★	S	★	★	★	★	...	★	★	E	★
West Virginia	...	★	E	...	★	...	★	★	★	★	...	...	★	★	...
Wisconsin	...	...	...	...	★	...	★	S	★	...	...	★	...	...	...
Wyoming	...	★	...	...	★	S	★	★	E	★	...	...	★	★	...
Dist. of Columbia	...	★	...	...	...	...	★	★	★	★	★	E	★	E	★

Source: Louis Phillips & Associates, Athens, Georgia.
Key:
★ — Required
E — Enabling legislation
S — Under certain circumstances
. . . — No requirements

LABOR LEGISLATION, 1990-91

By Richard R. Nelson

Several major pieces of state legislation covering various aspects of employment standards were enacted in the 1990-1991 biennium.[1] The greatest area of concentration was in the traditional fields of minimum wage protection, child labor regulation, and workers' compensation. But legislation also was enacted in newer issue areas such as employee leasing, parental leave and child care, restrictions on door-to-door sales by children, prohibitions on employment discrimination because of sexual orientation or AIDS, and employee drug and alcohol testing regulation.

Wages and Hours

Minimum Wages

One of the most active issues in both years was minimum-wage protection. A first-time law was enacted in Missouri and in Utah, new legislation replaced a measure applicable only to women and minors. Rates increased under federal law and in 31 states and four jurisdictions, as the result of new laws, wage orders, administrative actions, or provisions in previous legislation.[2] In addition, legislation enacted in Hawaii and North Carolina in 1991 provides for rate increases in 1992 and 1993.

Most of the rates increased to levels matching those provided in the Federal Fair Labor Standards Amendments of 1989, or resulted from the adoption of other automatic linkages to the federal rate. State rates higher than the $4.25 federal standard were in effect on Jan. 1, 1992, in Alaska, Connecticut, Iowa, Oregon, Rhode Island, the District of Columbia, and the U.S. Virgin Islands (see Table 8.36). Rates in Hawaii and New Jersey were scheduled to exceed the federal rate on April 1, 1992.

Subminimum training wages applicable to workers under age 20 were adopted in Kentucky, Maryland, Nebraska, North Carolina, Ohio, South Dakota and Virginia; under 19, in West Virginia; and under 18, in North Dakota. A learner rate of general application was adopted in Utah, and Wisconsin adopted an adult probationary rate. Conversely, a 1990 Montana training wage provision was repealed in 1991, and Minnesota law was amended to ban the use of lower rates based on a training wage or on full-time student status.

A 50 percent tip credit against the minimum wage was enacted as part of Missouri's new law, and a 33 percent tip credit was adopted in North Dakota. Changes in tip credit amounts were made to existing laws in Idaho, Indiana, Maryland, Ohio, South Dakota, Utah and Vermont.

Public sector employees are now covered under the Wisconsin minimum wage law, and the Idaho law was amended to add a requirement for overtime pay after 40 hours a week.

Wage Payment and Collection

Significant enactments during the biennium may aid labor departments in their efforts to collect wages for employees who have not been paid the amounts due them. Labor commissioners in Kentucky and New Jersey are

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now authorized to impose civil penalties for violation of various labor standards laws, including wage payment, minimum wage, prevailing wage, and child labor; Iowa's labor commissioner may initiate civil actions to enforce any statute under the labor department's jurisdiction.

Oklahoma and Wisconsin joined 19 states who have the authority to enter into reciprocal agreements with agencies in other states for the collection of wage claims and judgments.[3]

Prevailing Wage

Thirty-two states currently have prevailing wage laws, which specify that wage rates paid on publicly funded construction projects must not be lower than those prevailing in the area.[4]

In previous biennial periods, most prevailing wage activity involved repealing or reducing coverage of the state laws. During the 1990-1991 biennium, however, enforcement provisions were strengthened in Hawaii, New York and Rhode Island. Moreover, Hawaii, Montana and New Jersey extended coverage to additional types of publicly funded construction projects. First-time rules and regulations were adopted under the Ohio prevailing wage law, and revised rules and regulations were adopted in New Mexico.

In Connecticut, however, coverage was reduced by passage of an increase in the minimum dollar threshold required for coverage.

Family Issues

Parental leave for the birth, adoption or serious illness of a child continued to be an area of interest to state legislatures in 1990 and 1991. Comprehensive laws covering both the private and public sectors were adopted in California, Hawaii, New Jersey and the District of Columbia (Hawaii's provision on the private sector becomes effective Jan. 1, 1994). Apart from their applicability to children, each of these laws allows unpaid leave for the care of other family members with serious health conditions, and guarantees employees reinstatement to their old job or a similar one upon their return.

Unpaid family medical leave also was provided in an amendment to Oregon's fair employment practices law (a 1987 law offered unpaid parental leave), and in an amendment to Rhode Island's parental leave law. In related developments, Florida enacted a law authorizing state employees' use of parental leave; South Carolina state employees may now use accrued sick leave to care for an adopted child; and Vermont's maternity leave act now explicitly covers the public, as well as the private sector.

Employers in California and Minnesota are now required to grant parents unpaid time off from work to attend school conferences or other school activities.

A few states enacted laws designed to encourage employer-sponsored child care through various means such as coordinating agencies, separate licensing standards, tax credits and grant programs.

Child Labor

Child labor was the subject of several pieces of state legislation during the two-year period, with continuing emphasis on: the adverse effects of employment on children's academic performance; the use of civil money penalties as an enforcement tool; and restrictions on the employment of children in door-to-door sales.

Delaware, Maine, Ohio and Tennessee adopted restrictions on permissible hours of work for 16- and 17-year-olds. In Indiana, hour restrictions, employment certificate requirements, and night-work limits, previously applicable to minors under age 17, were extended to cover 17-year-olds. And in Florida and New York, 16- and 17-year-olds now must stop work earlier in the evening before school days; New York also requires these minors to obtain permission from their school, as well as their parents, for work beyond 10 p.m. on nights before school days. Twenty-seven states and three jurisdictions restrict the night-work or maximum daily and weekly hours and days per week of 16- and 17-year-olds (see Table 8.35). The daily, weekly or night-work hours allowed for minors under 16 were reduced in Delaware, Florida, Maine, New York, North

Carolina, Oklahoma, Oregon, South Dakota and Virginia, some by conforming to federal standards.

Maine raised the legal age for minors who cannot be employed during school hours and tied work permits to their enrollment and passage of a majority of courses. Indiana and New York adopted provisions authorizing revocation of employment certificates if there is a significant drop in grades following issuance of the permit. Civil fines for child labor law violations were authorized in Arkansas, Florida, Maine, Utah and Washington (as well as under Kentucky and New Jersey laws of general application), and the maximum amount of such penalties was increased in Illinois, New York and Virginia.

Again during the 1990-1991 biennium, several states considered restrictions on the employment of children in for-profit, door-to-door sales. Florida determined such work to be a hazardous occupation and prohibited it for minors under 16. Virginia also prohibits such work for those under 16 and regulates it for 16- and 17-year-olds. In addition, provisions regulating this work were adopted in Massachusetts for those under 18, and in Ohio and Utah for those under 16. These new measures join restrictions previously adopted in Alaska, Arizona, California, Missouri, Oklahoma, Oregon, Washington and Wisconsin.

Among several other child labor provisions, agricultural coverage was expanded in or added to the laws of New York, South Dakota, Virginia and Washington.

Arizona, Iowa, Maryland, New York and West Virginia lowered the starting age for compulsory school attendance, and Arkansas increased the upper age to 18.

Equal Employment Opportunity

During the biennium, state legislatures wrestled with a number of emerging and often controversial issues surrounding the prohibition of employment discrimination. Significant measures in Connecticut and Hawaii banned employment discrimination because of sexual orientation, and an executive order in New Jersey prohibited such discrimination by state agencies. Maine enacted employer requirements to ensure workplaces free of sexual harassment, and Illinois extended coverage of its Human Rights Act to include all employers (regardless of number of employees) where a complainant alleges a sexual harassment. The Illinois law also was amended to add employment discrimination on the basis of citizenship status to the list of prohibited forms of discrimination. Nebraska barred discrimination of individuals who are or are suspected of suffering from HIV virus infection or AIDS, and Wisconsin prohibited the use of an HIV test as a condition of public sector employment. In New York, employment discrimination on the basis of a person's unique genetic disorder is prohibited, unless the disorder prevents the performance of a particular job.

Newer issues were addressed in amendments to existing provisions prohibiting discrimination because of disability. Laws in Kentucky were amended to specifically include persons with AIDS or AIDS-related conditions, and in Tennessee, to remove the exception from coverage for contagious or transmittable diseases or conditions. Disability, under South Dakota's human rights law was defined to include being regarded as having an impairment, and to exclude the current use or addiction to defined controlled substances.

The age-70 upper limit for protection from age discrimination or mandatory retirement provisions was eliminated for state and local government employees in Ohio. Mandatory retirement was prohibited generally in North Dakota, and for certain tenured education employees in Michigan.

Fourteen states prohibited discrimination on the basis of tobacco use outside of employment, and Nevada barred discrimination for the lawful use of any product outside the workplace.

Drug and Alcohol Testing

The recent interest in drug and alcohol testing of employees continued with a number of enactments during 1990 and 1991. In Mississippi, a comprehensive new law, applicable both to public and private sector employers, established guidelines and procedures for testing employees and job applicants. Legislation authorizing testing of state employees under certain circumstances was enacted in Georgia, Louisiana, Nevada, South Dakota and Utah, while Hawaii and Louisiana enacted laws regulating employer drug testing procedures. Other enactments included authorization for testing intrastate commercial motor vehicle drivers (Connecticut and Montana); testing school district transportation employees (Arizona); and a testing program for employees of mental health institutions (Kansas).

Drug-free workplace acts were passed in California, Georgia, Illinois and South Carolina and provide that employers receiving state agency grants or contracts must certify they will provide a drug-free workplace and establish drug awareness programs. In Florida, drug-free workplace provisions permit testing of employees by employers who have an approved program in place.

In a case with possible implications for other states, a U.S. District Court struck down a Georgia law requiring applicants for state or public school system jobs to submit to drug testing. The court held that an individual's Fourth Amendment privacy rights are not outweighed by a government's general interest in maintaining a drug-free workplace.

Employee Leasing

Arkansas, Florida, Maine, Tennessee and Utah became the first states to pass laws regulating, to some degree, employee leasing firms. These firms place employees of a client business on their payroll and lease the workers back to the client on an on-going basis for a fee.

Strikebreakers

Labor relations laws during this period included a Minnesota measure prohibiting employers from offering permanent employment to individuals who perform bargaining unit work for them during a strike or lockout; California and Delaware resolutions supporting similar federal legislation; and New Hampshire's adoption of civil fines for violation of the law prohibiting the employment of professional strikebreakers.

Occupational Safety and Health

One or more laws dealing with various aspects of worker safety and health were enacted in a majority of jurisdictions during 1990 and 1991. Among the more noteworthy are laws in Arizona, Hawaii, Maryland and the District of Columbia dealing with control of asbestos and the training and accreditation or certification of persons engaged in asbestos abatement work; the adoption of field sanitation requirements in California and Michigan; and new right-to-know enactments in Arkansas and Nevada. "Right-to-know" laws require employees to be informed of and given training on toxic substances found in the workplace.

In Virginia, violators of the state occupational safety and health laws or regulations may be barred from work on future state construction projects. Also, North Carolina adopted an amendment increasing the amount of civil fines the state labor commissioner may assess for violations of the state occupational safety and health act, and a Minnesota law now requires specified employers to establish and implement written workplace accident and injury reduction programs.

Of the 25 states with occupational safety and health plans approved by the federal government (see Table 8.34), 23 operate programs covering private and public sector employees. Two states, Connecticut and New York, cover public employees only. Of these 25 states, 14 state plans have been granted final approval by the Occupational Safety and Health Administration (OSHA).

The Omnibus Budget Reconciliation Act of 1990, effective Nov. 5 of that year, amended the federal Occupational Safety and Health Act to increase the penalty levels for violations of the act. The amendments provide for a maximum of $70,000 for willful and repeat violations, a minimum of $5,000 for each willful violation, and a maximum of $7,000 for serious, other than serious, failure to abate, and posting violations. OSHA, in consultation with state plan representatives, developed procedures for implementing the new penalty calculations, and on March 1, 1991, began proposing penalties at the new levels. According to OSHA requirements, states must adopt corresponding increases in their penalty authority by the end of their 1992 legislative sessions.

As of Jan. 1, 1992, 15 jurisdictions had adopted their own penalty legislation: California, Indiana, Iowa, Maryland, Michigan, Minnesota, Nevada, North Carolina, Oregon, South Carolina, Tennessee, Utah, Vermont, Washington and Puerto Rico. Because legislatures meet at various times, and, in some cases, meet biennially, eight states were unable to introduce the penalty system or did not pass the legislation in 1991. However, all plan states should have the penalty system in place by the end of fiscal 1992.

In January 1991, Michigan's governor proposed the elimination of state funding support for the state's occupational safety and health program. The governor and state legislature initially agreed to a compromise that kept the program in operation through Sept. 30, 1991, and subsequently a bill providing funding through April 1, 1992, was enacted. As part of the decision to continue the program, Michigan's act was amended to require the state to begin promulgation of occupational safety and health standards within 10 days of federal standard promulgation.

Workers' Compensation

During the 1990-1991 biennium, Connecticut became the fourth state to change its method of computing workers' compensation benefits, from 66-2/3 percent of the employee's gross weekly wage to 80 percent of spendable earnings after deductions for federal taxes and for the Federal Insurance Contributions Act (FICA).

Louisiana, Maine, Rhode Island and Texas enacted measures establishing competitive state-operated insurance funds to provide coverage for employers. However, Maine's fund will become operational only if the premium volume in the voluntary market is less than 20 percent of the total statewide premium volume by July 1, 1994, or less than 25 percent by Dec. 31, 1995.

Cost containment efforts received considerable attention as 12 jurisdictions[5] joined Colorado and Montana in authorizing insurers to offer deductibles to policy holders. Meanwhile, Montana made the offer of a deductible mandatory.

In addition, Kansas enacted legislation requiring the adoption of a medical fee schedule, while Maine and Montana now limit payment for prescription drugs to the purchase of generic products, unless otherwise specified. Colorado established a system for determining medical treatment guidelines and utilization standards. Alaska, Colorado and Texas excluded recreational activities from coverage, while Florida limited coverage to such activities only if required by or of direct benefit to the employer.

California now requires six months of employment with a particular employer before a psychiatric injury is covered, unless the injury was caused by a sudden and extraordinary employment condition, as distinguished from a regular and routine event. A "regular and routine event" includes, but is not limited to, a lawful, nondiscriminatory, good faith personnel action, such as discipline, evaluation, transfer, demotion, layoff or termination. Similar provisions limiting work-related stress claims also were enacted in Colorado and New York.

Arkansas and Rhode Island established assigned-risk plans during this biennium, while Maine enacted legislation encouraging carriers to take workers' compensation policies out of the assigned-risk pool. Employee protection also was an important issue as Georgia established a Self-Insurers Guaranty Trust Fund to pay injured employees in case of a self-insured insolvency; Texas established a Property and Casualty Insurance Guaranty Association in the event of an insolvent insurer; and Michigan established the Uninsured Employer's Security Account in case of an uninsured employer.

Weekly maximum benefit rates were increased in virtually every jurisdiction (see Table 8.32).

Private Employment Agencies

Several changes were made in state laws regulating the private employment agency industry. Texas enacted legislation requiring temporary help agencies to be licensed, and the Tennessee law was amended to cover employee leasing services, temporary help services, and contract labor firms. While licensing is no longer required under the Tennessee law, agencies must be registered.

Among other developments regarding private employment agencies, those whose fees are paid entirely by employers were exempted from the Wisconsin employment agency regulatory law (except for an annual registration requirement); New Jersey replaced an existing law with one that specifically applies to career counseling and resume services, increases the amount of the required surety bond, and authorizes the issuance of cease and desist orders upon violation; and Washington law was expanded to include employment listing or referral services and resume services. In Washington, unlicensed agencies are subject to court action for return of any fees paid to the agency by job seekers and the award of treble damages and attorney's fees.

Other Legislation

Among other significant labor laws enacted in 1990 and 1991, California and New Jersey amended their garment manufacturer registration laws, with the latter providing new authorization to confiscate the goods and equipment of employers found in violation. New Jersey also prohibited industrial homework in the manufacture of women's or men's wearing apparel. Oregon and Tennessee adopted "whistleblower" laws protecting the jobs of employees who report law violations. Several states passed or amended laws requiring background clearance checks of prospective employees in occupations involving the supervision of children. Indiana and Kentucky authorized state grants for organizations promoting improved labor-management relations. Wisconsin now prohibits disciplinary action against an employee based on the use of wiretaps, electronic surveillance or one-way mirrors. California and Florida established telecommuting programs to permit state employees to perform job functions at home or away from their usual place of work, through the use of computers or telecommunications. A California measure requires private employers to assist and reasonably accommodate employees with literacy problems, and certain Iowa employers with more than 10 percent non-English speaking employees (who speak the same language) will be required to provide an interpreter at the work site for each shift, and an employee to serve as a referral agent to community services.

Notes

[1] This article does not cover the subject of state unemployment insurance laws.

[2] In 1990, new measures provided for increases in Idaho, Indiana, Kentucky, Minnesota, New Jersey, New York, Ohio, Rhode Island, South Dakota, Utah and Wisconsin, and for employees in certain occupations in the District of Columbia and Puerto Rico. Prior legislation resulted in increases in the federal rate, and in the rates for Alaska, Delaware, Illinois, Iowa, Maryland, Montana, Nevada, New Hampshire, Oklahoma, Oregon, Pennsylvania, Vermont, Guam and the U.S. Virgin Islands. In 1991, rates were increased as the result of new laws in Arkansas, Montana, Nebraska, Virginia and West Virginia. Revised wage orders increased rates in North Dakota, the District of Columbia and Puerto Rico. The Utah rate was increased by administrative action. Rates increased as the result of prior legislation federally, and in Alaska, Connecticut, Delaware, Idaho, Illinois, Iowa, Kentucky, Maine, Maryland, Minnesota, Missouri, Nevada, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Vermont and Guam. The Arkansas, Iowa, New Jersey, New York (for farmworkers), Virginia and West Virginia laws also provide for increases in 1992. A February 1992 administrative action in Wisconsin provides for an increase in that state's rate on March 1, 1992.

[3] Arkansas, Alaska, California, Hawaii, Idaho, Illinois, Iowa, Kansas, Maryland, Montana, Nevada, New York, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin and Wyoming.

[4] Alaska, Arkansas, California, Connecticut, Delaware, Hawaii, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Washington, West Virginia, Wisconsin and Wyoming. Guam and the U.S. Virgin Islands also have such laws.

[5] Alabama, Florida, Georgia, Indiana, Kansas, Maine, Maryland, Nebraska, New Hampshire, North Dakota, Rhode Island and South Dakota.

Table 8.32
MAXIMUM BENEFITS FOR TEMPORARY TOTAL DISABILITY PROVIDED BY WORKERS' COMPENSATION STATUTES
(As of January 1992)

State or other jurisdiction	*Maximum percentage of wages*	*Maximum payment per week*		*Maximum period*		*Total maximum stated in law*
		Amount	*Based on*	*Duration of disability*	*Number of weeks*	
United States						
FECA (a)	66-2/3 (b)	$1,204.36	75% of the pay of specific grade level in federal civil service (b)	★	. . .	. . .
LS/HWCA (a)	66-2/3	699.96	200% of NAWW	★	. . .	. . .
Alabama	66-2/3	385.00	100% of SAWW	★	. . .	. . .
Alaska	80 of worker's spendable earnings	700.00 (c)	. . .	★ (d)	. . .	. . .
Arizona	66-2/3	323.08 (e)	. . .	★	. . .	. . .
Arkansas	66-2/3	241.93	70% of SAWW	. . .	450	. . .
California	66-2/3	336.00	66-2/3% of SAWW	★	. . .	. . .
Colorado	66-2/3	395.71 (f)	91% of SAWW	★	. . .	. . .
Connecticut	80 of worker's spendable earnings	737.00	150% of SAWW	★	. . .	. . .
Delaware	66-2/3	312.39	66-2/3% of SAWW	★	. . .	. . .
Florida	66-2/3	409.00 (g)	100% of SAWW	. . .	260	. . .
Georgia	66-2/3	225.00	. . .	★	. . .	. . .
Hawaii	66-2/3	437.00	100% of SAWW	★	. . .	. . .
Idaho	60-90	324.00	90% of SAWW	. . .	52 (h)	. . .
Illinois	66-2/3	655.73	133-1/3% of SAWW	★	. . .	. . .
Indiana	66-2/3	328.00	. . .	. . .	500	$164,000
Iowa	80 of worker's spendable earnings	733.00	200% of SAWW	★	. . .	. . .
Kansas	66-2/3	289.00 (i)	75% of SAWW	★	. . .	100,000
Kentucky	66-2/3	380.00	100% of SAWW	★	. . .	. . .
Louisiana	66-2/3	295.00 (i)	75% of SAWW	★	. . .	. . .
Maine	66-2/3	518.42 (i)	166-2/3% of SAWW	★	. . .	. . .
Maryland	66-2/3	475.00	100% of SAWW	★	. . .	. . .
Massachusetts	60	515.52 (j)	100% of SAWW	. . .	156	(k)
Michigan	80 of worker's spendable earnings	441.00 (l)	90% of SAWW	★	. . .	. . .
Minnesota	66-2/3	443.00	100% of SAWW	★ (m)	. . .	. . .
Mississippi	66-2/3	227.18	66-2/3% of SAWW	. . .	450	102,231
Missouri	66-2/3	431.26	105% of SAWW	. . .	400	. . .
Montana	66-2/3	336.00 (c)	100% of SAWW	★	. . .	. . .
Nebraska	66-2/3	265.00	. . .	★	. . .	. . .
Nevada	66-2/3	421.26	100% of SAWW	★	. . .	. . .
New Hampshire	66-2/3	633.00	150% of SAWW	★	. . .	. . .
New Jersey	70	409.00	75% of SAWW	. . .	400	. . .
New Mexico	66-2/3	307.30	85% of SAWW	. . .	700	(n)
New York	66-2/3	350.00	. . .	★	. . .	. . .
North Carolina	66-2/3	429.00	110% of SAWW	★	. . .	. . .
North Dakota	66-2/3	334.00 (o)	100% of SAWW	★	. . .	. . .
Ohio	72 for first 12 weeks; 66-2/3 thereafer	443.00 (p)	100% of SAWW	★	. . .	. . .
Oklahoma	66-2/3	246.00 (q)	66-2/3% of SAWW	. . .	300	. . .
Oregon	66-2/3	429.71	100% of SAWW	★	. . .	. . .
Pennsylvania	66-2/3	455.00	100% of SAWW	★	. . .	. . .
Rhode Island	66-2/3	427.00 (r)	100% of SAWW	★	. . .	. . .
South Carolina	66-2/3	379.82	100% of SAWW	. . .	500	. . .
South Dakota	66-2/3	308.00	100% of SAWW	★	. . .	. . .
Tennessee	66-2/3	294.00	. . .	★	. . .	92,400
Texas	70 of worker's earnings over $8.50 per hour; 75 for all others	438.00 (s)	. . .	. . .	104 (t)	. . .
Utah	66-2/3	378.00 (u)	100% of SAWW	. . .	312	. . .
Vermont	66-2/3	592.00 (v)	150% of SAWW	★	. . .	. . .
Virginia	66-2/3	418.00	100% of SAWW	. . .	500	. . .
Washington	60-75	434.13 (c)	100% of SAMW	★	. . .	. . .
West Virginia	70	394.02	100% of SAWW	. . .	208	. . .
Wisconsin	66-2/3	450.00 (c)	100% of SAWW	★	. . .	. . .
Wyoming	66-2/3 of actual monthly earnings	392.00	100% of monthly wage	★	. . .	. . .

See footnotes at end of table.

MAXIMUM BENEFITS—Continued

State or other jurisdiction	Maximum percentage of wages	Maximum payment per week		Maximum period		Total maximum stated in law
		Amount	Based on	Duration of disability	Number of weeks	
Dist. of Columbia	66-2/3 or 80 of worker's spendable earnings; whichever is less	$ 613.09	100% of SAWW	★	. . .	. . .
Puerto Rico	66-2/3	65.00	. . .	. . .	312	. . .
U.S. Virgin Islands	66-2/3	271.00	66-2/3% of SAWW	★	. . .	. . .

Source: Branch of Planning, Policy and Review, Division of Planning, Policy and Standards, Office of Workers' Compensation Programs, Employment Standards Administration, U.S. Department of Labor.

Key:

SAWW — State's average weekly wage

SAMW — State's average monthly wage

NAWW — National average weekly wage

(a) Federal Employees Compensation Act (FECA) and the Longshore and Harbor Workers' Compensation Act (LS/HWCA). LS/HWCA benefits are for private-sector maritime employees (not seamen) who work on navigable waters of the U.S., including dry docks.

(b) Benefits under FECA are computed at a maximum of 75 percent of the pay of a specific grade level in the federal civil service.

(c) Benefits are subject to Social Security benefit offsets.

(d) Benefits payable for duration of disability or until date of medical stability is reached.

(e) Additional $25 monthly added to benefits of dependents residing in the U.S.

(f) Benefits are subject to Social Security benefit offsets and by benefits from an employer pension or disability plan.

(g) Benefits are subject to Social Security and Unemployment Insurance benefit offsets.

(h) After 52 weeks, benefits are 60 percent of SAWW for duration of disability.

(i) Payments are subject to Unemployment Insurance benefit offsets.

(j) Additional $6 will be added per dependent if weekly benefits are below $150.

(k) Total maximum payable not to exceed 250 times the SAWW in effect at time of injury.

(l) Benefits subject to reduction by Unemployment Insurance and Social Security benefits, and those under an employer disability, retirement or pension plan.

(m) Payments made for duration of disability until 90 days after maximum medical improvement or end of retraining.

(n) Total maximum payable equals the sum of 700 multiplied by the maximum weekly benefit payable at the time of injury.

(o) Additional $10 per week payable for each dependent child, not to exceed worker's net wage. Benefits are reduced by 50 percent of Social Security benefits.

(p) Benefits are subject to offset and if concurrent and/or duplicate with those under employer non-occupational benefits plan.

(q) Benefits are frozen at $246 per week until 11/1/93.

(r) An additional $9 for each dependent; including a non-working spouse, aggregate not to exceed 80 percent of the worker's average weekly wage.

(s) Each cumulative $10 increase in the average weekly wage for manufacturing production workers will increase the maximum weekly benefit by $7 per week.

(t) Maximum is 104 weeks, or upon reaching maximum medical improvement, whichever is sooner.

(u) Additional $5 for dependent spouse and each dependent child up to 4, but not to exceed 100 percent of the state average weekly wage.

(v) Additional $10 is paid for each dependent under 21 years of age.

Table 8.34
STATUS OF APPROVED STATE PLANS DEVELOPED IN ACCORDANCE WITH THE FEDERAL OCCUPATIONAL SAFETY AND HEALTH ACT
(As of February 1992)

State or other jurisdiction	Status of state plan						
	Operational status agreement (a)	*Different standards* (b)	*7(c)(l) On-site consultation agreement* (c)	*On-shore maritime coverage*	*Date of initial approval*	*Date certified* (d)	*Date of 18(e) final approval* (e)
Alaska	. . .	★	★	. . .	7/31/73	9/09/77	9/28/84
Arizona	. . .	. . .	. . .	. . .	10/29/74	9/18/81	6/20/85
California	★	★	★	★	4/24/73	8/12/77	
Connecticut (f)	. . .	. . .	★	. . .	10/02/73	8/19/86	
Hawaii	. . .	★	★	. . .	12/28/73	4/26/78	4/30/84
Indiana	. . .	. . .	. . .	. . .	2/25/74	9/24/81	9/26/86
Iowa	. . .	. . .	★	. . .	7/12/73	9/14/76	7/02/85
Kentucky	. . .	. . .	. . .	. . .	7/23/73	2/08/80	6/13/85
Maryland	. . .	. . .	★	. . .	6/28/73	2/15/80	7/18/85
Michigan	★	★	★	. . .	9/24/73	1/16/81	
Minnesota	. . .	. . .	★	★	5/29/73	9/28/76	7/30/85
Nevada	★	. . .	. . .	. . .	12/04/73	8/13/81	
New Mexico	★	. . .	. . .	. . .	12/04/75	12/04/84	
New York (f)	. . .	. . .	★	. . .	6/01/84		
North Carolina	★	. . .	★	. . .	1/26/73	9/29/76	
Oregon	★	★	★	★	12/22/72	9/15/82	
South Carolina	. . .	. . .	★	. . .	11/30/72	7/28/76	12/15/87
Tennessee	. . .	. . .	★	. . .	6/28/73	5/03/78	7/22/85
Utah	. . .	. . .	★	. . .	1/04/73	11/11/76	7/16/85
Vermont	★	. . .	★	★	10/01/73	3/04/77	
Virginia	. . .	. . .	★	. . .	9/23/76	8/15/84	11/30/88
Washington	★	★	. . .	★	1/19/73	1/26/82	
Wyoming	. . .	. . .	★	. . .	4/25/74	12/18/80	6/27/85
Puerto Rico	★	. . .	. . .	. . .	8/15/77	9/07/82	
U.S. Virgin Islands	. . .	. . .	. . .	. . .	8/31/73	9/22/81	4/17/84

Source: Directorate of Federal-State Operations, Office of State Programs, Occupational Safety and Health Administration, U.S. Department of Labor.

Key:

★—Yes

. . .—No

(a) Concurrent federal jurisdiction suspended.

(b) Standards frequently not identical to the federal.

(c) On-site consultation is available in all states either through a 7(c)(l) Agreement or under a State Plan.

(d) Developmental steps satisfactorily completed.

(e) Concurrent federal jurisdiction relinquished (supersedes Operational Status Agreement).

(f) Plan covers only state and local government employees.

Table 8.35
SELECTED STATE CHILD LABOR STANDARDS AFFECTING MINORS UNDER 18 IN NON-FARM EMPLOYMENT
(As of January 1992)
(Occupational coverage, exemptions and deviations usually omitted)

State or other jurisdiction	*Maximum daily and weekly hours and days per week for minors* (a)		*Nightwork prohibited for minors* (a)	
	Under 16 years of age	*16 and 17 years of age*	*Under 16 years of age*	*16 and 17 years of age*
Federal (FLSA)	8-40, non-schoolday period Schoolday/week: 3-18 (b)		7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	
Alabama	8-40-6 Schoolday/week: 3-18		7 p.m. (9 p.m. during summer vacation) to 7 a.m.	10 p.m. before schoolday to 5 a.m., if enrolled in school
Alaska	6-day week Schoolday/week: 9 (c)-23	6-day week	9 p.m. to 5 a.m.	
Arizona	8-40 Schoolday/week: 3-18		9:30 p.m. (11 p.m. before non-schoolday; 7 p.m. in door-to-door sales or deliveries) to 6 a.m.	
Arkansas	8-48-6	10-54-6	7 p.m. (9 p.m. before non-schoolday) to 6 a.m.	11 p.m. before schoolday to 6 a.m.
California	8-48-6 Schoolday/week: 4-28 (d)	8-48-6 Schoolday/week: 4-28 (d) except 8 before non-schoolday	10 p.m. (12:30 a.m. before non-schoolday) to 5 a.m.	10 p.m. (12:30 a.m. before non-schoolday) to 5 a.m.
Colorado	8-40 Schoolday: 6	8-40	9:30 p.m. to 5 a.m. before schoolday	
Connecticut	9-48 8-48-6 in stores and in agriculture (overtime permitted in certain industries)	9-48 8-48-6 in stores (overtime permitted in certain industries)	10 p.m. (midnight before non-schoolday in supermarkets) to 6 a.m.	10 p.m. (midnight before non-schoolday in supermarkets) to 6 a.m. 11 p.m. (midnight before non-schoolday or if not attending school) to 6 a.m. in restaurants or as ushers in non-profit theater
Delaware	8-40-6 Schoolday/week: 4-18 (d)	12 (c)	7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	8 hours of non-work, non-school required time in each 24-hour day
Florida	8-40-6 Schoolday: 3 when followed by schoolday, except if enrolled in vocational program Schoolweek: 15	8-30-6 during schoolyear	7 p.m. before schoolday to 7 a.m. on schoolday (9 p.m. during holidays and summer vacations to 7 a.m.)	11 p.m. to 6:30 a.m., before schoolday
Georgia	8-40 Schoolday: 4		9 p.m. to 6 a.m.	
Hawaii	8-40-6 Schoolday: 10 (c)		7 p.m. to 7 a.m. (9 p.m. to 6 a.m. June 1 through day before Labor Day	
Idaho	9-54		9 p.m. to 6 a.m.	
Illinois	8-48-6 Schoolday/week: 3[8 (c)] (e)-23 (d)		7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	

See footnotes at end of table.

Table 8.33
ESTIMATES OF WORKERS' COMPENSATION PAYMENTS, BY STATE AND TYPE OF INSURANCE: 1987-88
(In thousands of dollars)

State or other jurisdiction	1987				1988				Percentage change in total payment from 1987 to 1988
	Total	Insurance losses paid by private insurance (a)	State and federal fund disbursements (b)	Self insurance payments (c)	Total	Insurance losses paid by private insurance (a)	State and federal fund disbursements (b)	Self insurance payments (c)	
United States	$27,389,988	$15,453,355	$6,782,360	$5,154,273	$30,789,483	$17,512,113	$7,441,670	$5,835,700	12.4
Alabama	273,765	195,765	. . .	78,000	310,568	221,568	. . .	89,000	13.4
Alaska	139,367	114,367	. . .	25,000	119,595	97,895	. . .	21,700	-14.2
Arizona	222,355	109,370	71,682	41,303	300,887	126,670	118,217	56,000	35.3
Arkansas	160,019	121,019	. . .	39,000	176,814	133,914	. . .	42,900	10.5
California	4,250,941	2,328,020	647,921	1,275,000	4,810,305	2,548,616	817,689	1,444,000	13.2
Colorado	402,390	163,474	177,916	61,000	474,482	196,913	205,869	71,700	17.9
Connecticut	433,535	343,654	. . .	89,881	495,535	390,535	. . .	105,000	14.3
Delaware	51,334	38,334	. . .	13,000	57,345	42,945	. . .	14,400	11.7
Florida	1,178,113	738,113	. . .	440,000	1,421,550	888,550	. . .	533,000	20.7
Georgia	510,062	440,062	. . .	70,000	580,766	500,766	. . .	80,000	13.9
Hawaii	137,028	101,028	. . .	36,000	151,144	111,144	. . .	40,000	10.3
Idaho	70,343	46,159	17,384	6,800	84,983	52,030	24,753	8,200	20.8
Illinois	1,068,067	778,067	. . .	290,000	1,277,476	932,476	. . .	345,000	19.6
Indiana	201,532	178,532	. . .	23,000	244,703	216,703	. . .	28,000	21.4
Iowa	140,734	133,734	. . .	7,000	169,464	161,464	. . .	8,000	20.4
Kansas	174,953	147,953	. . .	27,000	197,473	166,473	. . .	31,000	12.9
Kentucky	274,434	205,434	. . .	69,000	292,872	219,872	. . .	73,000	6.7
Louisiana	544,012	434,012	. . .	110,000	565,141	452,141	. . .	113,000	3.9
Maine	276,518	228,518	. . .	48,000	314,353	259,853	. . .	54,500	13.7
Maryland	373,756	242,855	60,901	70,000	396,734	259,933	76,801	60,000	6.1
Massachusetts	734,088	674,088	. . .	60,000	858,587	787,587	. . .	71,000	17.0
Michigan	885,398	489,080	56,318	340,000	1,010,014	549,610	70,404	390,000	14.1
Minnesota	489,541	366,835	10,706	112,000	501,901	369,454	16,447	116,000	2.5
Mississippi	136,787	126,987	. . .	9,800	154,799	143,299	. . .	11,500	13.2
Missouri	320,379	264,379	. . .	56,000	378,777	313,777	. . .	66,000	18.2
Montana	138,346	45,513	80,552(d)	12,281	150,436	46,035	91,101(d)	13,300	8.7
Nebraska	87,537	74,537	. . .	13,000	101,311	86,611	. . .	14,700	15.7
Nevada	180,204	1,012	151,445	27,747	236,861	861	200,000	36,000	31.4
New Hampshire	128,392	111,992	. . .	16,400	143,153	124,953	. . .	18,200	11.5
New Jersey	626,536	528,036	. . .	98,500	682,437	575,437	. . .	107,000	8.9
New Mexico	145,788	136,288	. . .	9,500	168,121	157,121	. . .	11,000	15.3
New York	1,206,565	625,671	356,894	224,000	1,344,539	662,127	432,412	250,000	11.4
North Carolina	271,990	216,990	. . .	55,000	334,179	267,179	. . .	67,000	22.9
North Dakota	43,983	117	43,866	. . .	44,441	124	44,317	. . .	1.0
Ohio	1,561,937	5,537	1,156,400	400,000	1,716,339	6,339	1,260,000	450,000	9.9
Oklahoma	288,693	165,292	56,401	67,000	301,992	166,992	65,000	70,000	4.6
Oregon	509,584	201,584	230,000	78,000	555,769	217,505	245,264	93,000	9.1
Pennsylvania	1,271,742	938,094	82,000(d)	251,648	1,499,049	1,098,417	100,632(d)	300,000	17.9
Rhode Island	142,547	131,647	. . .	10,900	168,322	155,322	. . .	13,000	18.1
South Carolina	185,989	160,989	. . .	25,000	207,909	178,909	. . .	29,000	11.8

See footnotes at end of table.

ESTIMATES OF WORKERS' COMPENSATION PAYMENTS—Continued

	1987				*1988*				
State or other jurisdiction	*Total*	*Insurance losses paid by private insurance* (a)	*State and federal fund disbursements* (b)	*Self insurance payments* (c)	*Total*	*Insurance losses paid by private insurance* (a)	*State and federal fund disbursements* (b)	*Self insurance payments* (c)	*Percentage change in total payment from 1987 to 1988*
South Dakota	35,557	30,657	. . .	4,900	40,156	34,656	. . .	5,500	12.9
Tennessee	288,738	262,738	. . .	26,000	341,270	310,270	. . .	31,000	18.2
Texas	2,073,707	2,073,707	. . .	. . .	2,461,702	2,461,702	. . .	. . .	18.7
Utah	125,840	26,637	79,203	20,000	115,563	29,201	68,362	18,000	-8.2
Vermont	41,240	37,740	. . .	3,500	43,636	39,636	. . .	4,000	5.8
Virginia	354,154	290,154	. . .	64,000	408,904	334,904	. . .	74,000	15.5
Washington	678,458	13,458	525,000	140,000	705,478	13,478	550,000	142,000	4.0
West Virginia	354,655	1,172	236,370	117,113	363,391	735	249,656	113,000	2.5
Wisconsin	368,910	292,910	. . .	76,000	422,163	335,163	. . .	87,000	14.4
Wyoming	44,557	1,367	43,190	. . .	45,594	751	44,843	. . .	2.3
Dist. of Columbia	86,677	69.677	. . .	17,000	80,597	64,497	. . .	16,100	-7.0

Source: Social Security Administration, *Social Security Bulletin*, March 1991.

Note: Data for 1988 are preliminary. Calendar-year figures, except that data for Montana, Nevada and West Virginia, for federal civilian employees and "other" federal workers' compensation, and for state fund disbursements in Maryland, North Dakota and Wyoming, represent fiscal years ended in 1987 and 1988. Includes benefit payments under the Longshoremen's and Harbor Workers' Compensation Act and extensions for the states in which such payments are made.

(a) Net cash and medical payments paid during calendar year by private insurance carriers under standard workers' compensation policies. Data primarily from A.M. Best Company, a national data-collecting agency for private insurance.

(b) Net cash and medical benefits paid by state funds compiled from state reports (published and unpublished); estimated for some states.

(c) Cash and medical benefits paid by self-insurers, plus the value of medical benefits paid by employers carrying workers' compensation policies that do not include standard medical coverage. Estimated from available state data.

(d) Includes payment of supplemental pensions from general funds.

SELECTED STATE CHILD LABOR STANDARDS—Continued

State or other jurisdiction	*Maximum daily and weekly hours and days per week for minors* (a)		*Nightwork prohibited for minors* (a)	
	Under 16 years of age	*16 and 17 years of age*	*Under 16 years of age*	*16 and 17 years of age*
Indiana	8-40-6 Schoolday/week: 3-23	8-40-6, except if not enrolled in school; 9-48 during summer vacation, minors enrolled in school	7 p.m. (9 p.m. before non-schoolday) to 6 a.m.	10 p.m. (midnight before non-schoolday) to 6 a.m., minors of 16 enrolled in school. 11:30 p.m. to 6 a.m. before schoolday, minors of 17 enrolled in grades 9 through 12 (later with permission up to 2 non-consecutive nights per week)
Iowa	8-40 Schoolday/week: 4-28		7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	
Kansas	8-40		10 p.m. before schoolday to 7 a.m.	
Kentucky	8-40 Schoolday/week: 3-18	6 (8 Saturday and Sunday)-40, if attending school	7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	11:30 p.m. (1 a.m. Friday and Saturday) to 6 a.m. when school in session
Louisiana	8-40-6 Schoolday: 3		10 p.m. to 7 a.m.	
Maine	8-40-6 Schoolday/week: 3-18	8-48-6 if enrolled in school; schoolday/week: 4-20, if enrolled in school	7 p.m. (9 p.m. during summer school vacation) to 7 a.m.	10 p.m. (12 a.m. before non-schoolday) to 7 a.m., if enrolled in school
Maryland	8-40 Schoolday/week: 4-23 (d)	12 (c)	8 p.m. (9 p.m. Memorial Day through Labor Day) to 7 a.m.	8 hours of non-work, non-school time required in each 24-hour day
Massachusetts	8-48-6 4-24 in farm work, under 14	9-48-6	7 p.m. (9 p.m. July 1 through Labor Day) to 6:30 a.m.	10 p.m. (midnight in restaurants on Friday, Saturday and vacation) to 6 a.m.
Michigan	10-48-6 Schoolweek: 48 (c)	10-48-6 Schoolweek: 48 (c)	9 p.m. to 7 a.m.	10:30 p.m. to 6 a.m., if attending school 11:30 p.m. to 6 a.m. if not attending school
Minnesota	8-40		9 p.m. to 7 a.m.	
Mississippi	8-44 in factory, mill, cannery or workshop		7 p.m. to 6 a.m. in factory, mill, cannery or workshop	
Missouri	8-40-6		7 p.m. (10 p.m. before non-schoolday and for minors not enrolled in school) to 7 a.m.	
Montana	. . .		. . .	
Nebraska	8-48		8 p.m. to 6 a.m., under 14 10 p.m. (beyond 10 p.m. before non-schoolday with special permit) to 6 a.m., 14 and 15	
Nevada	8-48		. . .	
New Hampshire	8 on non-schoolday, 48-hour week during vacation, if enrolled in school Schoolday/week: 3-23 if enrolled in school	48-hour week, 6-day week, during vacation if enrolled in school 30-hour week, 6-day week, if enrolled in school	9 p.m. to 7 a.m.	
New Jersey	8-40-6 10-hour day, 6-day week in agriculture Schoolday/week: 3-18	3-40-6	7 p.m. (9 p.m. during summer vacation with parental permission) to 7 a.m.	11 p.m. to 6 a.m. during school term, with specified variations

See footnotes at end of table.

SELECTED STATE CHILD LABOR STANDARDS—Continued

State or other jurisdiction	*Maximum daily and weekly hours and days per week for minors* (a)		*Nightwork prohibited for minors* (a)	
	Under 16 years of age	*16 and 17 years of age*	*Under 16 years of age*	*16 and 17 years of age*
New Mexico	8-44 (48 in special cases), under 14		9 p.m. to 7 a.m., under 14	
New York	8-40-6 Schoolday/week: 3-18 (b)	8-48-6 Schoolday/week: 4 before schoolday, 8 Friday, Saturday, Sunday or holiday-28, if enrolled in school	7 p.m. (9 p.m. June 21 through Labor Day) to 7 a.m.	10 p.m. (midnight before schooldays with written permission from both parent and school and before non-schoolday with written parental consent) to 6 a.m., while school is in session; midnight to 6 a.m. while school is not in session
North Carolina	8-40 Schoolday/week: 3-18 (b)		7 p.m. (9 p.m. during summer vacation) to 7 a.m.	
North Dakota	8-48-6 Schoolday/week: 3-24 if not exempted from school attendance	8-48-6	7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	
Ohio	8-40 Schoolday/week: 3-18		7 p.m. (9 p.m. June 1 to Sept. 1 and during school holidays of 5 schooldays or more) to 7 a.m. 7 p.m. to 7 a.m. in door-to-door sales	11 p.m. before schoolday to 7 a.m. on schoolday (6 a.m. if not employed after 8 p.m. previous night) if required to attend school. 8 p.m. to 7 a.m. in door-to-door sales
Oklahoma	8-40 Schoolday/week: 3-18		7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	
Oregon	8-40 Schoolday/week: 3-18 (b)	44-hour week (emergency overtime with permit)	7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	
Pennsylvania	8-44-6 Schoolday/week: 4-26 (d)	8-44-6 28 in schoolweek, if enrolled in regular day school	7 p.m. (10 p.m. during vacation from June to Labor Day) to 7 a.m.	11 p.m. (midnight before non-schoolday) to 6 a.m., if enrolled in regular day school
Rhode Island	8-40	9-48, during school year	7 p.m. (9 p.m. during school vacation) to 6 a.m.	11:30 p.m. (1:30 a.m. before non-schoolday) to 6 a.m., if regularly attending school
South Carolina	8-40 Schoolday/week: 3-18		7 p.m. (9 p.m. June 1 through Labor day) to 7 a.m.	
South Dakota	8-40 Schoolday/week: 4-20		After 10 p.m. before schoolday	
Tennessee	8-40 Schoolday/week: 3-18		7 p.m. to 7 a.m. (9 p.m. to 6 a.m. before non-schooldays)	10 p.m. to 6 a.m. (Sunday-Thursday before schooldays) (midnight with parental permission up to 3 nights a week)
Texas	8-48		10 p.m. (midnight before non-schoolday or in summer if not enrolled in summer school) to 5 a.m.	
Utah	8-40 Schoolday: 4		9:30 p.m. to 5 a.m. before schoolday	
Vermont	8-48-6	9-50	7 p.m. to 6 a.m.	
Virginia	8-40, non-school period Schoolday/week: 3-18		7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	

See footnotes at end of table.

SELECTED STATE CHILD LABOR STANDARDS—Continued

State or other jurisdiction	*Maximum daily and weekly hours and days per week for minors* (a)		*Nightwork prohibited for minors* (a)	
	Under 16 years of age	*16 and 17 years of age*	*Under 16 years of age*	*16 and 17 years of age*
Washington	8-hour day, 5-day week Schoolday/week: 3-18	8-hour day, 5-day week	7 p.m. (9 p.m. during summer vacation) to 7 a.m.	After 9 p.m. on consecutive nights preceding schoolday, and after 9 p.m. in door-to-door sales
West Virginia	8-40-6		8 p.m. to 5 a.m.	
Wisconsin	8-40-6 Schoolday/week: 4 (8 Friday and non-schoolday)-18 (d)	(f)-50-6 Schoolday/week: 4 (8 Friday and non-schoolday)-26 (d)	8 p.m. (11 p.m. before non-schoolday) to 7 a.m.	11 p.m. (12:30 a.m. before non-schoolday) to 7 a.m. (5 a.m. on non-schoolday) during school week (f)
Wyoming	8-56		10 p.m. (midnight before non-schoolday and for minors not enrolled in school) to 5 a.m.	Midnight to 5 a.m., females
Dist. of Columbia	8-48-6	8-48-6	7 p.m. (9 p.m. June 1 through Labor Day) to 7 a.m.	10 p.m. to 6 a.m.
Guam	8-40-6 Schoolday: 9 (c)	8-40-6 Schoolday: 9 (c)	After 10 p.m. on schoolday	After 10 p.m. on schoolday
Puerto Rico	8-40-6 Schoolday: 8 (c)	8-40-6	6 p.m. to 8 a.m.	10 p.m. to 6 a.m.

Source: Division of State Standards Programs, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor.

(a) State hours limitations on a schoolday and in a schoolweek usually apply only to those enrolled in school. Several states exempt high school graduates from the hours and/or nightwork or other provisions, or have less restrictive provisions for minors participating in various school-work programs. Separate nightwork standards in messenger service and street trades are common, but are not displayed in table.

(b) Students of 14 and 15 enrolled in approved Work Experience and Career Exploration programs may work during school hours up to 3 hours on a schoolday and 23 hours in a schoolweek.

(c) Combined hours of work and school.

(d) More hours are permitted when school is in session less than 5 days.

(e) Eight hours are permitted on both Saturday and Sunday if minor does not work outside school hours more than 6 consecutive days in a week and total hours worked outside school does not exceed 24.

(f) Wisconsin has no limit during non-schoolweek on daily hours or nightwork for 16-and 17-year-olds. However, they must be paid time and one-half for work in excess of 10 hours per day or 40 hours per week, whichever is greater. Also, 8 hours rest is required between end of work and start of work the next day, and any work between 12:30 a.m. and 5 a.m. must be directly supervised by an adult.

Table 8.36
CHANGES IN BASIC MINIMUM WAGES IN NON-FARM EMPLOYMENT UNDER STATE LAW: SELECTED YEARS
1968 TO 1992

State or other jurisdiction	*1968* (a)	*1970* (a)	*1972*	*1976* (a)	*1979*	*1980*	*1981*	*1984*	*1988*	*1990*	*1991*	*1992*
Federal (FLSA)	$1.15 & $1.60	$1.30 & $1.60	$1.60	$2.20 & $2.30	$2.90	$3.10	$3.35	$3.35	$3.35	$3.35	$3.80	$4.25
Alabama	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Alaska	2.10	2.10	2.10	2.80	3.40	3.60	3.85	3.85	3.85	3.85	4.30	4.75
Arizona	18.72-26.40/ wk. (b)	18.72-26.40/ wk. (b)	18.72-26.40/ wk. (b)	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Arkansas	1.25/day (b)	1.10	1.20	1.90	2.30	2.55	2.70	3.05	3.25	3.35	3.35	3.65 (c)
California	1.65 (b)	1.65 (b)	1.65 (b)	2.00	2.90	2.90	3.35	3.35	3.35	4.25	4.25	4.25
Colorado	1.00-1.25 (b)	1.00-1.25 (b)	1.00-1.25 (b)	1.00-1.25 (b)	1.90	1.90	1.90	2.50	3.00	3.00	3.00	3.00
Connecticut	1.40	1.60	1.85	2.21 & 2.31	2.91	3.12	3.37	3.37	3.75	4.25	4.25	4.27
Delaware	1.25	1.25	1.60	2.00	2.00	2.00	2.00	3.00	3.35	3.35	3.80	4.25
Florida	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Georgia	. . .	. . .	1.25	1.25	1.25	1.25	1.25	1.25	3.25	3.25	3.25	3.25
Hawaii	1.25	1.60	1.60	2.40	2.65	2.90	3.10	3.35	3.85	3.85	3.85	3.85 (c)
Idaho	1.15	1.25	1.40	1.60	2.30	2.30	2.30	2.30	2.30	2.30	3.80	4.25
Illinois	. . .	. . .	1.40	2.10	2.30	2.30	2.30	2.65	3.35	3.35	3.80	4.25
Indiana	1.15	1.25	1.25	1.25	2.00	2.00	2.00	2.00	2.00	2.00	3.35	3.35
Iowa	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	3.85	4.25	4.65
Kansas	. . .	. . .	. . .	. . .	1.60	1.60	1.60	1.60	1.60	2.65	2.65	2.65
Kentucky	.65-.75 (b)	.65-.75 (b)	.65-.75 (b)	1.60	2.00	2.15	2.15	2.60	3.35	3.35	3.80	4.25
Louisiana	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Maine	1.40	1.60	1.40-1.80	2.30	2.90	3.10	3.35	3.35	3.65	3.85	3.85	4.25
Maryland	1.00 & 1.15	1.30	1.60	2.20 & 2.30	2.90	3.10	3.35	3.35	3.35	3.35	3.80	4.25
Massachusetts	1.60	1.60	1.75	2.10	2.90	3.10	3.35	3.35	3.65	3.75	3.75	4.25
Michigan	1.25	1.25	1.60	2.20	2.90	3.10	3.35	3.35	3.35	3.35	3.35	3.35
Minnesota	.70-1.15 (b)	.70-1.15 (b)	.75-1.60	1.80	2.30	2.90	3.10	3.35	3.55 & 3.50 (d)	3.95 & 3.80 (d)	4.25 (e)	4.25 (e)
Mississippi	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Missouri	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	3.80	4.25
Montana	. . .	. . .	1.60	1.80	2.00	2.00	2.00	2.75	3.35	3.35	3.80	4.25 (e)
Nebraska	1.00	1.00	1.00	1.60	1.60	1.60	1.60	1.60	3.35	3.35	3.35	4.25
Nevada	1.25	1.30	1.60	2.20 & 2.30	2.75	2.75	2.75	2.75	3.35	3.35	3.80	4.25
New Hampshire	1.40	1.45-1.60	1.60	2.20-2.30	2.90	3.10	3.35	3.35	3.55	3.75	3.85	4.25
New Jersey	1.40	1.50	1.50	2.20	2.50	3.10	3.35	3.35	3.35	3.35	3.80	4.25 (c)
New Mexico	1.15-1.40	1.30-1.60	1.30-1.60	2.00	2.30	2.65	2.90	3.35	3.35	3.35	3.35	3.35
New York	1.60	1.60	1.85	2.30	2.90	3.10	3.35	3.35	3.35	3.35	3.80	4.25
North Carolina	1.00	1.25	1.45	2.00	2.50	2.75	2.90	3.35	3.35	3.35	3.35	3.80 (c)
North Dakota	1.00-1.25	1.00-1.45	1.00-1.45	2.00-2.20	2.10-2.30	2.60-3.10	2.80-3.10	2.80-3.10	2.80-3.10	3.40	3.40	4.25
Ohio	.75-1.25 (b)	.75-1.25 (b)	.75-1.25 (b)	1.60	2.30	2.30	2.30	2.30	2.30	2.30	3.80 (e)	4.25 (e)
Oklahoma	1.00	1.00	1.40	1.80	2.00	2.00	3.10	3.35	3.35	3.35	3.80 (e)	4.25 (e)
Oregon	1.25	1.25	1.25	2.30	2.30	2.90	3.10	3.10	3.35	4.25	4.75	4.75
Pennsylvania	1.15	1.30	1.60	2.20	2.90	3.10	3.35	3.35	3.35	3.70	3.80	4.25
Rhode Island	1.40	1.60	1.60	2.30	2.30	2.65	2.90	3.35	3.65	4.25	4.25	4.45
South Carolina	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .

CHAPTER NINE

INTER-GOVERNMENTAL AFFAIRS

DEVELOPMENTS IN FEDERAL-STATE RELATIONS, 1990-91

By John Kincaid

The continuing federal fiscal crisis and the developing fiscal crisis in state and local governments dominated intergovernmental relations in 1990 and 1991 as the nation entered its deepest recession since the early 1980s. On Jan. 1, 1991, *The Washington Post* headlined a story, "Big Fiscal Woes Await Governors in Northeast." As problems spread to more states, the *Post* headlined an April story, "Recession, Soaring Medicaid Costs Put the Squeeze on State Budgets." By June 30, 1991, a *Post* headline read, "Facing Year of Living Penuriously, States Slash Costs, Beef Up Taxes."

Overall, state expenditures were $533.7 billion in fiscal 1991, up 8.8 percent from the previous year. However, the average general-fund balance for the 50 states at the end of fiscal 1991 was 1.5 percent, the smallest since fiscal 1983 (Howard 1991, 18). At the same time, about 34 states raised taxes. The total increase was in the range of $14.4 billion to $16.2 billion — the largest ever one-year increase (Gold 1991, 623-626).

The results of these developments, wrote *New York Times* columnist Russell Baker on July 9, 1991, are "predictable: Hordes of governors, mayors and county supervisors will be voted out of business in 1992. At the same time, the usual 95 to 98 percent of Congress and President Bush will enjoy re-election."

By the end of the year, though, George Bush, who seemed unbeatable after the American victory in the Gulf War in February 1991, was in trouble with voters because of the recession. Bush's plunge in the polls was counterbalanced only by continued public disdain for the Congress, a mood exacerbated in 1991 by the Clarence Thomas-Anita Hill controversy before the Senate Judiciary Committee and by revelations of bounced checks at the House bank and unpaid bills at the House restaurant.

The disarray in Washington increased the fiscal and policy problems facing state and local officials. These officials generally attributed their problems to: the deepening recession; increasing demands and costs for social welfare; increasing federal mandates and conditions of aid, especially in Medicaid; reductions in federal aid; and adverse federal court decisions. Some critics charged, though, that states were reaping the consequences of profligate spending during the growth years of 1984-1989 (Moore 1991). State spending had increased by more than 100 percent during the 1980s — above the rates of inflation and the increase in federal spending.

States also experienced pressures from the rising costs of: health care, due partly to inflation, mandates, and long-term care costs; education, due partly to reform efforts, teachers' lobbying and rising enrollments; and corrections, due in part to federal court orders, the drug war and mandatory sentencing policies. At the same time, states were widely criticized in the media for trying to balance their budgets on the backs of the poor, and by other observers for slowing economic recovery by raising taxes and cutting spending.

Hence, for many state and local officials, 1991 ended on a sour intergovernmental note. The mood was reflected in a commentary by the executive director of the National Governors' Association, who wrote that recovery

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from the 1991-1992 recession "will not resemble the 1980s, when state revenues grew an average of 9 percent a year throughout the decade and plenty of money was available for new programs. Instead, the 1990s will be a period of scarcity and adjustment." He added, "State government will no longer have the fiscal capacity to assume additional responsibilities from the federal and local governments. Efforts to shift responsibilities to states will meet increased resistance" (Scheppach 1991, 1-2).

Public Opinion

The possible effects of these developments on public attitudes toward the states were reflected in a 1991 national opinion poll commissioned by the U.S. Advisory Commission on Intergovernmental Relations (ACIR). The proportion of respondents saying that states spend their tax dollars the most wisely of all governments in the federal system dropped from 20 percent in 1990 to 14 percent in 1991. Those picking local government declined slightly, from 36 percent to 35 percent, while respondents selecting the federal government, actually increased slightly from 11 percent to 12 percent. More dramatically, the percentage of Americans volunteering that none of the three governments spends their tax dollars wisely jumped from 19 percent to 27 percent.

The proportion of respondents saying they get the "most for their money" from state government declined from 23 percent in 1989 to 22 percent in 1991. However, the percentage dropped from 33 to 26 for the federal government while increasing from 29 percent to 31 percent for local governments.

The proportion of poll respondents who picked the state income tax as "the worst tax" increased from 10 percent in 1989 to 12 percent in 1991. Those picking the state sales tax as the worst increased from 18 percent to 19 percent, while those selecting the federal income tax declined from 27 percent to 26 percent, and the local property tax, from 32 percent to 30 percent.

Even so, when asked how well their state and the federal government cooperate, 7 percent said "very well" and 43 percent said "fairly well." When asked the same of their state and local government, 9 percent said "very well" and 50 percent said "fairly well." Overall, these respondents seemed more upbeat about federal-state cooperation than many activists in the intergovernmental community, despite the fact that public discontent with state governments appeared to have risen with the downturn in the economy. The most negative public views of state governments, and of federal-state and state-local cooperation, were found in the Northeast (ACIR 1991).

Public Pressure for Term Limits

Another indicator of public discontent with state government, as well as the U.S. Congress, was the term limitation movement. Although a term-limit measure failed on the 1991 Washington state ballot, such measures already had been approved in California, Colorado and Oklahoma in 1990, and were advocated in about 35 other states. In response, the National Conference of State Legislatures began a public education campaign to improve public perceptions of state legislatures.

While the wisdom of term limits is certainly debatable, attempts to limit the terms of members of Congress raise constitutional questions. Many observers believe the states cannot unilaterally limit the number of terms served by their Congressional members. After all, the framers of the U.S. Constitution rejected a term limit, and the term limit imposed on presidents required a constitutional amendment.

Yet, the situation with the Congress is different. Each member represents one state or substate jurisdiction. No one state or group of states could unilaterally limit presidential terms; but the voters of each state, as a sovereign entity, are arguably free to limit the number of terms served by their representatives in Congress, just as they can limit the number of terms served by any of their other elected officials. Although the U.S. Constitution contains no term limit, neither does it explicitly prohibit a state from setting a limit for its representatives. The Constitution specifies only the length of terms to be served by Senate and House members.

CHANGES IN BASIC MINIMUM WAGE—Continued

State or other jurisdiction	*1968* (a)	*1970* (a)	*1972*	*1976* (a)	*1979*	*1980*	*1981*	*1984*	*1988*	*1990*	*1991*	*1992*
South Dakota	17.00-20.00/wk.	1.00	1.00	2.00	2.30	2.30	2.30	2.80	2.80	3.35	3.80	4.25
Tennessee	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .	. . .
Texas	. . .	. . .	1.40	1.40	1.40	1.40	1.40	1.40	3.35	3.35	3.35	3.35
Utah	1.00-1.15 (b)	1.00-1.15 (b)	1.20-1.35 (b)	1.55-1.70 (b)	2.20-2.45 (b)	2.35-2.60 (b)	2.50-2.75 (b)	2.50-2.75 (b)	2.50-2.75 (b)	2.50-2.75 (b)	3.80	4.25
Vermont	1.40	1.60	1.60	2.30	2.90	3.10	3.35	3.35	3.55	3.75	3.85	4.25
Virginia	. . .	. . .	. . .	2.00	2.35	2.35	2.65	2.65	2.65	2.65	2.65	3.65 (c)
Washington	1.60	1.60	1.60	2.20-2.30	2.30	2.30	2.30	2.30	2.30	4.25	4.25	4.25
West Virginia	1.00	1.00	1.20	2.00	2.20	2.20	2.75	3.05	3.35	3.35	3.35	3.80 (c)
Wisconsin	1.25 (b)	1.30 (b)	1.45 (b)	2.10	2.80	3.00	3.25	3.25	3.35	3.65	3.80	3.80 (c)
Wyoming	1.20	1.30	1.50	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60	1.60
Dist. of Columbia	1.25-1.40	1.60-2.00	1.60-2.25	2.25-2.75	2.46-3.00	2.50-3.50	2.50-3.75	3.50-3.90	3.50-4.85	3.50-4.85	3.70-4.85	3.90-5.45
Guam	1.25	1.60	1.90	2.30	2.90	3.10	3.35	3.35	3.35	3.75	3.80	4.25
Puerto Rico	.43-1.60	.43-1.60	.65-1.60	.76-2.50	1.20-2.50	1.20-2.50	1.20-3.10	1.20-3.35	1.20-3.35	1.20-4.25	1.20-4.25 (f)	1.20-4.25 (f)
U.S. Virgin Islands	NA	NA	NA	NA	2.90	3.10	3.35	3.35	3.35	4.65	4.65 (c,e)	4.65 (c,e)

Source: Prepared by the Division of State Standards Programs, Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor.

Note: Rates are for January 1 of each year, except 1968 and 1972, which show rates as of February. The rates are per hour unless otherwise indicated. A range of rates, as in the District of Columbia and Puerto Rico, reflects rates which differ by industry, occupation or other factor, as established under a wage-board type law.

Key:

. . . — Not applicable

NA — Not available

(a) Under the federal Fair Labor Standards Act (FLSA), the two rates shown in 1968, 1970 and 1976 reflect the former multiple-track minimum wage system in effect from 1961 to 1978. The lower rate applied to newly-covered persons brought under the act by amendments, whose rates were gradually phased in. A similar dual-track system was also in effect in certain years under the laws in Connecticut, Maryland and Nevada.

(b) For the years indicated, the laws in Arizona, Arkansas, California, Colorado, Kentucky, Minnesota, Ohio, Utah and Wisconsin applied only to women and minors.

(c) Scheduled future increases under state law will take effect as follows: Arkansas to $4.00 on July 1, 1992; Hawaii to $4.75 on April 1, 1992 and to $5.25 on January 1, 1993; New Jersey to $5.05 on April 1, 1992; North Carolina to $4.25 on January 1, 1993; Virginia to $4.25 on July 1, 1992; West Virginia to $4.25 on April 1, 1992; and Wisconsin to $4.25 on March 1, 1992. In the U.S. Virgin Islands, implementation of an indexed rate, which was to have started January 1, 1991, has been delayed.

(d) For the years 1988-1990, Minnesota had a two-tier wage schedule with the higher rate applicable to employers covered by the FLSA and the lower rate to employers not covered by the FLSA.

(e) Minnesota sets a lower rate for enterprises with annual receipts of less than $362,500 ($4.00, January 1, 1991 and January 1, 1992); Montana sets a lower rate for businesses with gross annual sales of $110,000 or less ($4.00, January 1, 1992); Ohio sets a lower rate for employers with gross annual sales from $150,000 to $500,000 ($3.35, January 1, 1991 and January 1, 1992) and for employers with gross annual sales under $150,000 ($2.50, January 1, 1991 and $2.80 January 1, 1992); Oklahoma sets a lower rate for employers of less than 10 full-time employees at any one location and for those with annual gross sales of less than $100,000 ($2.00, January 1, 1991 and January 1, 1992); and the U.S. Virgin Islands sets a lower rate for businesses with gross annual receipts of less than $150,000 ($4.30, January 1, 1991 and January 1, 1992).

(f) In Puerto Rico, a $6.50 minimum rate is in effect for cigarette manufacturing employees only.

Federal Turnovers v. State Turn-ups

For most state officials during this period, term limits were of less immediate concern than fiscal limits. States continued to press the federal government for fiscal and economic relief and for federal assumption of certain fiscal responsibilities, such as long-term care under Medicaid. Some conflict also developed among states, especially over the bailout of the savings and loan industry. Officials in the Northeast and Midwest argued the bailout is shifting funds from their coffers to states such as Texas, New Mexico, Arizona, Alaska, Kansas and Louisiana — all net gainers of bailout monies.

In contrast to state emphases on fiscal "turn-ups" and an economic turnaround, President Bush proposed in his 1991 State of the Union address to "turn over" to the states $15 billion to $20 billion of grant programs in a fully funded, consolidated block grant, with essentially level funding guaranteed through fiscal 1996. Bush listed 11 examples of what could be turned over, and said these programs were subject to 1,028 pages of regulation in the *Federal Register*, requiring about 4.2 million hours of paperwork per year. The programs included four in education; EPA sewage construction grants; three in health and human services; two in housing and urban development; and the Byrne Memorial State and Local Law Enforcement Assistance Program.

The proposal generally was well received by governors and state legislators, but not by mayors and members of Congress. House Majority Leader Richard A. Gephardt suggested, instead, that the federal government increase by 2 percent the taxes on some corporate income to fund state education programs. To qualify for these bonus funds, states would be required to show that all children entering first grade were recipients of prenatal and well-baby care, nutrition screening, immunizations and early childhood education. The proposal received little attention.

City officials opposed Bush's proposal, primarily because the examples included programs of direct interest to them, especially the Community Development Block Grant, certain public housing funds, low-income energy assistance and impact aid for local schools. Robert M. Isaac, president of the U.S. Conference of Mayors, said that states cannot be trusted with block grant monies. He argued, for example, that under the Drug Abuse Act of 1986, states disburse funds that are too late and too little for local governments.

Both the National Governors' Association and National Conference of State Legislatures developed alternative proposals to present to the White House in April 1991. Missouri Gov. John Ashcroft, then vice-chairman of the National Governors' Association, emphasized the flexibility afforded by block grants. "A prime example of the lack of flexibility in Missouri," he said, "is that social service caseworkers must document by 15-minute intervals the time spent for individual Medicaid, Aid to Families with Dependent Children, and food stamp cases" (National Governors' Association 1991, 3). Both proposals allayed the major concerns of local officials by excluding programs of vital interest to them (McDowell 1991, 8-11). The National Governors' Association proposed to consolidate 42 categorical programs and six loan and loan-guarantee programs into a $15.2 billion block grant having eight functional components. The National Conference of State Legislatures proposed to consolidate about 85 categorical grants into 12 block grants falling into five categories and funded at $21.2 billion.

Virtually nothing was heard about the turnover until December 1991, when President Bush informed the National League of Cities that he would announce a new turnover in his 1992 State of the Union address. Bush proposed a consolidated block grant consisting of 25 programs in: education (12 programs); environmental protection (EPA's sewage construction program); health and human services (Maternal and Child Health Block Grant, Social Services Block Grant, and state administrative expenses for Medicaid, Aid to Families with Dependent Children, and Food Stamps); justice (drug control and juvenile justice); and four other programs (job training for the homeless, Agriculture Stabilization and Conservation Service cost share, community service employment for older Americans, and the National and Community Services Act). The proposed budget outlay was $14.6 billion for fiscal 1993, projected to $15.7 billion in fiscal 1997. The 1992 proposal did reflect some of the modifications that had been suggested by the National Governors' Association and National Conference of State Legislatures, and dropped most of the programs that had drawn the strongest objections from local governments.

The President said in the budget proposal that his goal was "to move power and decision-making authority closer to the people and allow state and local governments greater flexibility to manage programs more efficiently and effectively. The proposed block grant encourages the natural innovative powers of state and local governments as laboratories of change." The proposal contained a hold-harmless provision, transitional arrangements and requirements for intended use reports and audits to ensure that states spend the money for the intended purposes. State officials appeared to be cautiously optimistic about the plan, though they expressed concern about the prospects for passage and the fact that "it mixes and matches entitlements and discretionary programs" (Perlman 1992, 23).

In light of the recession and the upcoming presidential election, Bush's overall $1.52 trillion fiscal 1993 budget proposal drew mixed reviews. Mayors especially criticized the proposal for shortchanging urban priorities. Hence, local governments continued to press the Congress for a revival of general revenue sharing as reflected, for example, in the House-proposed $15 billion Local Partnership Act. States expressed concern about the efficacy of the "economic stimulus" elements of the proposal and the effects on the economy of the projected $399 billion deficit for fiscal 1993. The fiscal 1991 budget agreement had included a $490 billion deficit-reduction package, which set new deficit-reduction targets through fiscal 1995. This was the third revision of deficit- reduction targets since passage of the Gramm-Rudman-Hollings act in 1985.

Federal Aid to States

The end of the Cold War in 1991 again raised hopes for a "peace dividend" to increase domestic spending. Budget projections for the 1990s were not promising, however. Reductions in defense spending likely will be absorbed by rising costs, deficit reduction and interest payments on the national debt. Defense reductions also will cause economic dislocations in more than half of the states, including about 10 states for which defense spending has been critical. The aging of the population and the onset of retirement of the baby boom generation in 2010 do not bode well for government budgets in the long run, without a reinvigoration of the nation's economy.

In the short run, the states have fared comparatively well with federal aid under President Bush. Indirect aid to state and local governments in the form of so-called tax expenditures increased modestly from $53.4 billion in fiscal 1990 to an estimated $58.2 billion in fiscal 1992. Growth in "tax expenditure" aid has slowed considerably, however, because of limits on tax-exempt bonds, the elimination of personal income-tax deductions for state sales taxes enacted in 1986, and the incorporation of state and local governments into the Social Security tax system. Direct grants-in-aid increased from $122 billion in fiscal 1989 to $152 billion in fiscal 1991, with fiscal 1992 aid estimated at $182.2 billion. After fluctuating for 12 years below the historic high point reached in fiscal 1978, federal grant funding, in constant dollars, slightly surpassed the 1978 level in fiscal 1991.

Recovering 1978 levels in 1991 represented only a pyrrhic victory for the states, given their added responsibilities. Furthermore, the increase in aid is somewhat deceptive because it does not reflect a renewed federal commitment to states as polities. Instead, it reflects the states' enlarged roles as coinsurers of federal social policies and administrative arms of federal agencies.

Increasingly, federal aid is magnetic money that passes through state treasuries picking up additional state monies on its way to persons who are entitled under federal law to cash payments or in-kind welfare benefits. Federal grants-in-aid dedicated for payments to individuals, through programs such as Medicaid, increased from 34 percent of all grants in fiscal 1975 to 63 percent in fiscal 1992. At the same time, grants for state and local physical capital initiatives such as highways, airports, sewage treatment plants and community development declined from 22 percent of all grant funding in fiscal 1975 to 15 percent in fiscal 1992. Grants for other purposes, such as education, employment and social services, dropped from 45 percent in fiscal 1975 to 22 percent in fiscal 1992. In short, federal aid has shifted sharply from places to persons, and from investments in future income productivity to transfers for current income maintenance.

There also has been an increase in the number of funded grant programs, from 492 in fiscal 1989 to 557 in 1991 (up from 40[illegible] in fiscal 1984). Most of the new programs, however, might be called "peanut grants" because they involve small amounts of money and sizable amounts of state administrative time to break open and utilize. This large number of grants does provide a menu of diverse choices for states and localities, but the administrative costs sometimes outweigh the benefits.

Given the changes in the mix of grant purposes, and the states' roles as administrators of the major federal welfare programs, direct federal aid to local governments has declined steeply since fiscal 1978 and remains well below the levels of the late 1970s. There was a slight turnaround in fiscal 1992, when for the first time since 1978, federal funding for key urban programs increased by 11.4 percent, from $13.2 billion in fiscal 1991 to $14.7 billion. Nevertheless, the federal contribution to cities had dropped from 18 percent of their budgets in 1981 to 6 percent by 1991, according to a U.S. Conference of Mayors' survey of 50 major urban areas. This, in turn, has placed added pressure on states to provide more funds to, or assume more functions for, local governments — points of friction and contention in many states today. State aid to local governments increased from $82.8 billion to $171.8 billion during the 1980s.

Overall, the fiscal 1992 budget was more favorable to state and local governments than budgets in the recent past. A number of programs were zeroed out (such as, child care licensing grants and funds for refugee assistance), but states benefited from highway reauthorization and did not lose entirely in a battle over Medicaid provider taxes.

The fiscal 1991 **Budget Enforcement Act** had been the more important legislation because of its new deficit-reduction targets; its three-year spending caps on three areas of discretionary spending: national defense, international assistance and domestic programs; and its pay-as-you-go rule for new entitlement spending or tax reductions. The "firewall" provisions in the act apparently helped protect funding for programs of interest to state and local governments.

By 1992, however, there was growing pressure to undo the fiscal 1991 agreement because of the recession and the collapse of the Soviet Union. National defense spending was the primary target of efforts to obtain more funds for domestic spending and federal-aid programs to jump-start the economy and meet pent-up demands for federal resources.

Federal Fiscal Pressure on States

The benefits of increased aid, however, have been diminished by the increased fiscal pressure placed on states by other recent federal actions.

Tax and Trust-Fund Pressure

The fiscal 1991 budget agreement, for example, raised the federal gasoline tax by a nickel, and made it more politically difficult for states to raise their own gas taxes. Moreover, half of the 5-cent increase was dedicated to deficit reduction and other non-highway spending for five years, thus violating the user pays principle underlying the gas tax. The National Conference of State Legislatures argued that while the 5-cent increase in the federal gas tax will raise $25 billion for the federal treasury, it will reduce state gas-tax revenues by about $2.8 billion because of reduced consumption. Federal taxes on cigarettes, beer, wine and hard liquor were increased as well, with similarly predicted effects on state revenues.

The budget agreement also requires state and local governments to collect and pay Social Security taxes on public employees (except students) who are not covered by a public retirement program. For the first time, moreover, state and local taxes are not fully deductible under the agreement. Three percent of the adjusted gross income of both individuals and joint filers above $100,000 is no longer deductible.

In addition, the Internal Revenue Service reported that state and local governments rebated more than $90 million to the federal government in fiscal 1991 as required by the excess arbitrage rules governing state and local bonds under the Tax Reform Act of 1986. As a result, local governments pressed for changes in the rules on tax-exempt bonds, such as those proposed by U.S. Rep. Beryl Anthony of Arkansas (Bowman and Pagano 1990, 4-5).

Local governments also face potentially huge costs under the strict, joint and several liability provisions of Superfund. At the Operating Industries site in California, for example, 64 corporations have sued 29 cities for 90 percent of the site's clean-up costs, which could exceed $800 million.

A major battle occurred in 1991 when the Bush Administration proposed to restrict the use by more than 30 states of health-care provider taxes and voluntary contributions to enhance state Medicaid matching funds. The president maintained these provisions would cost the federal government about $12 billion by fiscal 1993. The Congress subsequently enacted a compromise giving states time to convert to a broad-based tax and permitting them to raise 25 percent of their Medicaid funds through provider-specific taxes. The latter provision sunsets in 1995. The act virtually eliminates voluntary contributions, but preserves state flexibility to determine which hospitals can receive disproportionate share payments and the amounts of those payments.

States also criticized the federal government for manipulating trust fund balances to reduce the deficit, and for disbursing insufficient funds from the highway, mass transit and aviation trust fund accounts and the Employment Security Administrative Account for state unemployment insurance accounts. Governors pressed for an increase in the obligation ceiling on the highway trust fund from $14.5 billion in fiscal 1991 to $16.5 billion in 1992; $16.8 billion was enacted.

Mandates

Federal mandating has increased considerably and steadily since the late 1960s; however, it passed largely unnoticed until rising federal budget deficits and declining federal aid during the 1980s, upward pressure on Medicaid spending, and emerging state fiscal problems in 1989 compelled the attention of state officials.

Twenty new mandates in the fiscal 1991 budget agreement are expected to add $17 billion in costs to state budgets during the next five years, according to the National Conference of State Legislatures. Thus, unfunded and underfunded mandates remain a major concern of the states (Conlan 1991, 43-57), and conditions attached to Medicaid funding headed the list because that program consumed about 14.8 percent of state budgets in fiscal 1990.

Despite a call for a two-year moratorium on Medicaid mandates by the National Governors' Association, the Congress has enacted such requirements during the last five consecutive years. During fiscal 1990, Medicaid replaced higher education as the second largest category of state spending (the first being elementary and secondary education). State Medicaid costs are expected to increase from $39.6 billion in fiscal 1991 to $95.1 billion in fiscal 1997. In 1990, the Congress mandated Medicaid coverage for all children born after September 1983, who are below 100 percent of the poverty level. Each year, the covered age will increase, until poor children have full health coverage to age 19. States also were required to act as an insurer for the elderly poor by covering deductibles, co-payments, and Medicare Part B premiums not paid by Medicare. To assist states in meeting these costs, the Congress specified discounts to be provided by manufacturers of prescription drugs. In

1992, President Bush again proposed a $7.9 billion mandatory Medicare tax on state and local governments and their employees.

Examples of other mandates enacted in 1990-91 include a requirement that state colleges and universities report the graduation rates of athletes to receive federal funds; a K-12 anti-drug policy for schools to receive federal money; creation of a child-care voucher program by October 1992; and the establishment of minimum health and safety standards to prevent and control infectious diseases. Under the **National Child Search Assistance Act** of 1990, state and local law enforcement agencies must report each case of a missing child to the National Crime Information Center of the U.S. Department of Justice. Broad mandates also are contained in the 1990 **Americans With Disabilities Act**, the **Education of the Handicapped Act Amendments**, and the **Clean Air Act Amendments**.

States blocked a number of proposed mandates in 1990-91, such as motor voter registration, and one that would have required literacy programs for inmates in state correctional facilities. An amendment proposed by Sen. Strom Thurmond of South Carolina authorized a $70 million incentive grant for states to establish prison literacy programs. Nevertheless, in early 1992, the National Conference of State Legislatures still was monitoring about 120 bills containing mandates.

At the same time, though, states are facing increased local objections to state mandates placed on local governments, some of which are pass-throughs of federal mandates. One manifestation of this pressure was the 1990 approval by Florida's voters of an amendment to the state's constitution that places limits and funding requirements on state-enacted mandates (Florida ACIR 1991).

Mandate Innovation

Congressional mandating also saw some innovation in 1990-91. For example, the fiscal 1991 **Transportation Appropriations Act** allows any state, without losing federal-aid highway funds, to opt out of a federal mandate requiring revocation of the driver's license of any convicted drug offender if the governor and the legislature enact a resolution, under the act's "nullification clause," rejecting the mandate's application to their state.

In the same act, former Congressman William Gray of Philadelphia targeted a conditional mandate at Pennsylvania. A provision was inserted to require a 25 percent reduction in federal-aid highway funds to any state that by 1992 does not have a general tax-based revenue source dedicated to paying the non-federal share of the project costs of a public mass-transit authority serving an urbanized area of 3 million or more residents (i.e., Philadelphia). In a compromise, however, the provision allows the governor and legislature to block the reduction by declaring their opposition to any direct funding mechanism for mass transportation. Passage of this act brought to 13 the number of conditions under which states can lose anywhere from 5 to 100 percent of their federal-aid highway funds for noncompliance with federal requirements such as junkyard control, outdoor advertising and the 21-year-old age rule for alcoholic beverage purchases.

Mandate Relief

In 1991, there was some movement in the Congress to provide for mandate relief; however, the prospects for significant action appear dim. Rep. Doug Barnard of Georgia introduced an **Intergovernmental Mandate Relief Act** in March 1991, and an amendment to the **Congressional Budget Act** of 1974 to prevent Congress from enacting any measure that would cost state and local governments $50 million or more. In May, Rep. Olympia J. Snowe of Maine introduced a bill providing that "no State or local government shall be obligated to take any action required by Federal law . . . unless all expenses of such government in taking such action are fully funded by the United States." In September, Rep. George J. Hochbrueckner of New York introduced a bill to establish a National Commission on Intergovernmental Mandate Reform. In February 1992, Sens. Don Nickles of Oklahoma and Harry Reid of Nevada introduced an **Economic and Employment Impact Act** that would require an economic and employment impact statement for all proposed legislation and regulations, including those affecting state and local governments.

In his 1992 State of the Union address, President Bush made an unprecedented call for "an end to unfinanced federal government mandates. . . . If the Congress passes a mandate, it should be forced to pay for it, and balance the cost with savings elsewhere. After all, a mandate just increases someone else's burden — and that means higher taxes at the state and local level."

Rulemaking and Pre-emption

Mandates and conditions of aid constitute facets of what has been termed "regulatory federalism" (ACIR 1984). Others include federal rulemaking and pre-emption of state and local authority.

Rulemaking has become especially complex and often burdensome and uncertain for state and local governments, particularly as concerns about the timing and content of reviews by the Office of Management and Budget have led federal agencies to rely more on enforceable interim and interim-final rules. However, some leverage for state and local officials was provided in amendments to the **Administrative Procedures Act**.

The **Negotiated Rulemaking Act** of 1990 allows federal agencies to encourage, from the outset, participation of all potentially affected interests in rulemaking. The **Administrative Dispute Resolution Act** of 1990 requires federal agencies to promote dispute resolution as an alternative to litigation. In addition, beginning April 1991, the Office of Management and Budget expanded its index in the **Unified Agenda of Federal Regulation** to include lists of proposed regulations that agencies believe may affect small governments and federal-state-local relations.

The federal government also continued to regulate state and local governments indirectly. For example, the **Hotel and Motel Fire Safety Act** of 1990 requires states to submit by late 1992 a list of all places of public accommodation that meet the act's safety requirements. During the 1990s, the federal government will phase in goals designed to prohibit federal employees from lodging in establishments that do not meet the act's standards and to preclude federal sponsorship or funding of any meeting, convention, conference or training seminar held in a non-complying facility.

Pre-emption, which has increased dramatically since the 1960s, remained a force in 1990-1991 (Zimmerman 1991). For example, even though states again blocked attempts in the Congress to pre-empt state product liability laws, the **Nutrition Labeling and Education Act** of 1990 pre-empted many state and local laws governing food labeling. However, the statute provides states with some opportunities to limit the scope of pre-emption, as well as a unique state enforcement possibility. A state can move to enforce the law in federal court, subject to a "right of first refusal" by the Food and Drug Administration. If FDA does not settle or "diligently" prosecute the matter, the state can proceed to court. States also can intervene in any federal suit to enforce the law in federal court.

During this period, there also were signs of growing sentiment to limit pre-emption and to make pre-emption more explicit. A major aspect of pre-emption is "implied pre-emption," in which executive branch agencies, independent regulatory agencies and the courts imply the existence of pre-emption when there is no explicit statement of pre-emption in a statute. Implied pre-emption also includes broad construction of an explicit statutory pre-emption.

The U.S. Supreme Court has begun to rely more on a "plain statement" rule in interpreting statutes. If in a statute, the Congress does not make a plain statement of its intent to pre-empt state authority, the Court is not likely to infer pre-emption or endorse broad, implied pre-emptions by federal agencies.

In November 1991, Sens. Carl Levin of Michigan and David Durenberger of Minnesota introduced a **Pre-emption Clarification and Information Act** recommended by the U.S. Advisory Commission on Intergovernmental Relations. The heart of the bill is that "No statute, or rule promulgated under such statute, shall preempt, in whole or in part, any state or local government law, ordinance, or regulation, unless the statute explicitly states that such preemption is intended or unless there is a direct conflict between such statute and state or local law, ordinance, or regulation so the two cannot be reconciled or consistently stand together." The prospects for enactment are unknown at this writing.

Federal and State Business Regulation

Three issues of federal versus state regulation of economic activity were prominent in 1990-1991: banking, insurance and cable television.

In early 1991, President Bush proposed sweeping changes in the nation's banking system, including broad pre-emptions of state regulatory authority. Of particular concern to many state officials were the President's proposals to pre-empt state authority to regulate and restrict interstate banking and branch banking. If enacted, the President's plan would have substantially federalized the nation's historic dual banking system (ACIR 1988).

The Congress, however, enacted more limited legislation directed mainly at reforming deposit insurance. The legislation did not significantly affect state authority to regulate interstate banking and branch banking, although it imposed some restrictions on state powers. For example, the law prohibits federally insured state-chartered banks from engaging in activities denied federally chartered banks, unless state banks obtain permission from the Federal Deposit Insurance Corporation (Will 1991, 27-41).

The Congress also considered, but did not enact, bills to pre-empt many state powers of insurance regulation. Sen. Howard Metzenbaum of Ohio and Rep. John Dingell of Michigan proposed the creation of a Federal Insurer Solvency Corporation that would have broad powers to oversee and pre-empt state insurance regulators. For the past 47 years, federal law has exempted the insurance industry from federal regulation, thus allowing states to regulate the industry so long as they do not discriminate against in-state and out-of-state companies. Recently, however, states have been criticized for not maintaining competition in the insurance industry and for responding too late to problems of insolvency among property and casualty insurers. In efforts to fend off federal intervention, many state officials began considering regulatory reforms and formation of an interstate insurance compact.

Bills also were introduced in the Congress to restore to local governments some authority to regulate cable television, especially rates. Deregulation of cable television was enacted by the Congress in 1984 and rate deregulation went fully into effect in 1987 for all areas except those lacking "effective competition." According to the Federal Communications Commission, effective competition exists when an area has six local broadcast stations. Consumers have complained that deregulation has allowed cable companies to increase rates above inflation without concomitant improvements in service. Local governments have lobbied vigorously, particularly through the National League of Cities, for a restoration of local regulatory authority. It appears, however, that the Congress will vest rate regulation in the FCC.

Most likely, states will lose substantial regulatory authority over banking, insurance and other industries during the 1990s, not only because of federal initiatives and business pressure, but also because the governors generally have supported federal pre-emption of many aspects of state economic regulation on the ground that the country needs a uniform national marketplace to compete more effectively with Japan and the European Community. State legislators and regulators, however, have defended state economic regulation on the grounds that sole-source federal regulation is both inadequate and uncertain and that states must have authority to ensure business compliance with state law and responsiveness to state residents.

At the same time, state and local governments are likely to retain regulatory powers that are viewed as beneficial to consumers and the public interest, as in the case of congressional refusal in the 1990 **Oil Pollution Act** to pre-empt state authority to enact oil-spill liability standards higher than the federal and international standards. Another example was the 1990 decision by the U.S. Environmental

Protection Agency to allow states to enact hazardous waste standards more stringent than federal standards. Initially, EPA was concerned that states would enact stricter standards simply to block unpopular waste facilities.

Among both conservatives and liberals, there has been growing concern about blunderbuss federal pre-emption of state and local powers. Both political camps realize that what cannot be achieved through federal regulatory action can often be achieved, at least partially, through state action. Large states like California and New York often set the pace for the others.

Selected Policy Issues

Many other issues of intergovernmental significance were on the agenda in 1990-1991. Following are brief descriptions of some of the major issues.

The Census

The decennial census was subject to the kind of controversy usually found in countries like Lebanon and Nigeria. More than 6,000 state and local governments appealed to the U.S. Department of Commerce to adjust the 1990 census statistically for an alleged undercount of 5.3 million people. Commerce declined to adjust the count.

The census, of course, determines reapportionment of the U.S. House of Representatives, as well as the distribution of about $40 billion in formula-driven federal aid. Montana appealed the reapportionment system to the U.S. Supreme Court on the ground that it violates the "one person, one vote" rule applied to all other legislative bodies in the United States. Then, in early 1992, a federal appeals court in Boston rejected the census count and ordered that a congressional seat be taken from Washington state and given to Massachusetts.

Meanwhile, many local governments, especially big cities, pressed for an adjustment to qualify for more federal aid. The undercount, for example, would cost Chicago $33 million in lost federal aid; Atlanta, $23 million; and Los Angeles, $14 million, according to the National League of Cities (Peirce 1991, 8). Large central cities also were concerned about losing representation to their suburbs, particularly because the 1992 elections would be the first in American history to be dominated by suburban voters.

Surface Transportation

A major, positive outcome for state and local governments was passage of the landmark **Intermodal Surface Transportation Efficiency Act** in November 1991. Among its provisions are: a six-year authorization of $119 billion for highways and bridges and $31.5 billion for mass transit; replacement of the four federal-aid highway systems by a 155,000-mile National Highway System to include the 44,328-mile Interstate system and other major urban and rural arterials yet to be designated; a $23.9 billion multimodal surface transportation block grant (62.5 percent of which is to be allocated by formula to urbanized areas of 200,000 or more people) with project selections determined by metropolitan planning organizations in consultation with their state; maintenance of the overall 80 percent federal and 20 percent state/local matching rates for federal and state shares of transportation funding, with temporary waivers of match requirements for fiscally stressed states; $1 billion per year for the next six years in competitive grants for mitigation projects in the most congested and air-polluted areas; transfers of funds between most surface transportation programs in response to state or metropolitan requests; and the development of statewide transportation plans (McDowell 1992, 6-18).

Aside from the 28 percent average annual increase in transportation spending over the previous five-year authorization and creation of the new National Highway System, the 1991 act essentially transforms the old federal-state highway partnership into a federal-state-local partnership. As a result, state and local governments will have to forge new relationships in this field (ACIR 1987 and 1988).

Civil Rights

Another landmark law, which covers about 43 million persons, is the **Americans With**

Disabilities Act of 1990. The act mandates state and local compliance with anti-discrimination and handicapped accommodation rules and will have a substantial fiscal impact on state and, especially, local governments. Local governments will incur the most significant costs in providing access to all public facilities, including transportation. Providing "reasonable accommodations" for the employment of persons with disabilities is expected to be much less costly, and should greatly improve employment and security for disabled persons and further diversify the public work force.

The **Civil Rights Act** of 1991 contains a significant intergovernmental provision that extends federal anti-discrimination rules to state elected officials, including the personal staffs of state legislators. However, the act preserves the right of state legislatures to establish grievance procedures to hear discrimination claims, even though such procedures do not prevent legislative employees from filing complaints with the Equal Employment Opportunity Commission.

Environmental Protection

Another major 1990 enactment was the **Clean Air Act Amendments**, finalized after more than 10 years of controversy. A key intergovernmental twist in the law is that states may adopt federal anti-emission standards or the stricter standards promulgated by California (Ferrall and Kamieniecki 1991, 143-154). Otherwise, the act contains many mandates, including tough "hammer" rules that allow the federal government to impose a pollution-control implementation plan if a state's plan is judged insufficient. States also must work with private industry, for example, in implementing plans to ensure that employers of 100 or more persons attain a minimum 25 percent increase in average vehicle occupancy to and from the work site during peak travel times. Sanctions for inadequate compliance include withholding of federal highway aid and pollution assistance funds, limits on the provision of new drinking water supplies, and bans on industrial construction. States also are required to assess and collect fees on regulated pollutants, otherwise EPA will collect the fees and keep the money.

Child Care

Under the 1990 Child Care Development Block Grant, the states obtained flexibility and blocked new mandates, although subsequent rules promulgated by the U.S. Department of Health and Human Services restricted flexibility (Morse 1992, 8-11). The program, aimed at providing child care for low-income working families, provided $750 million in fiscal 1991 (reduced by sequester to $732 million), $825 million in 1992, and $925 million in 1993. The funds are distributed by a formula based on the number of children under age five, the number of school-lunch recipients in a state, and state per capita income. There is no state match. However, the fiscal 1991 funds were not available for obligation until Sept. 7, 1991 — 49 weeks into federal fiscal 1991.

The act required states to have licensing, registration and health and safety rules for child care, created a new grant requiring a state match, and provided $300 million a year for child care for low-income families that do not receive AFDC support. In addition, the act capped — at $1.5 billion for five years — entitlements for child-care services to families at risk of becoming dependent on welfare.

Head Start was increased by $400 million in fiscal 1991 and by another $250 million in 1992. Three child-care tax credits totaling $18.2 billion over five years also were enacted in 1990.

Housing

The **National Affordable Housing Act** of 1990 was the most comprehensive housing bill enacted in 10 years. Among other things, the act provided $1 billion in fiscal 1991 and $2.1 billion in 1992 to state and local governments for a new block grant program, HOME Investment Partnerships. Funds are distributed directly to cities, counties and states to promote affordable housing partnerships among state and local governments, private industry and nonprofit organizations. State and local governments can use the funds for a range of activities including acquisition, new construction, rehabilitation, low-income first-time purchases and tenant-based rental assistance programs.

The law also addresses the problem of hundreds of thousands of low-income housing units that face expiring contracts or mortgage prepayments. It did not pre-empt state laws covering standards of safety and construction for manufactured housing.

Agriculture and Food Stamps

The 1990 reauthorization of the farm bill extended major agriculture and food programs through 1995, although it also reduced federal expenditures by $13 billion. The act froze for five years the federal target prices for major crops at 1990 levels; created a triple-base program to enhance planting flexibility and reduce federal costs; extended Food Stamps and other nutrition programs, while waiving some $270 million in penalties for state errors in administering the Food Stamp program; established the first federal standards for organic foods; introduced new recordkeeping requirements for users of hazardous pesticides; mandated new environmental protection standards; increased federal funding for agriculture research; and authorized a five-state pilot project to test state involvement in rural development funding with the Farmers Home Administration.

AIDS

The **Ryan White Comprehensive AIDS Resource Emergency Act** of 1990 authorized $800 million in grants to cities and states most effected by AIDS. Grants to states for the care of AIDS patients were authorized for fiscal 1991 and 1992 and, as necessary, through 1995.

The States in Court

For the second consecutive year, Missouri was party to a case producing one of the U.S. Supreme Court's most significant federalism decisions. Missouri lost its appeal in 1990, but won in 1991.

In 1990, the Court ruled, in *Missouri v. Jenkins*, that although federal district-court judges cannot directly levy or raise a local tax to pay for their court orders, judges can require a local or state government to raise taxes to pay for the implementation of federal court orders, even if they require the state to override a tax rule contained in its constitution (Hoxworth and Thomas 1991, 93-108).

However, a year later in *Gregory v. Ashcroft*, the Court held 7-2 that contrary to an Equal Employment Opportunity Commission ruling, the state constitution's requirement that state judges retire at age 70 does not violate the federal **Age Discrimination in Employment Act** of 1967 or the U.S. Constitution's equal protection clause. The larger significance of the decision lay in Justice Sandra Day O'Connor's emphasis on dual federal-state sovereignty in the majority opinion. She also argued that "the authority of the people of the states to determine the qualifications of their most important government officials . . . lies at the heart of representative government," and "is a power reserved to the states under the Tenth Amendment" and protected by Article IV, Section 4 of the U.S. Constitution. This provision obligates the United States to "guarantee to every state in this Union a Republican form of Government." Use of the republican guarantee clause is a potentially new approach to judicial protection of state powers in light of the Supreme Court's reluctance to employ the Tenth Amendment as a justiciable shield for state authority (Merritt 1988, 1-78).

Generally, the Court was more friendly than usual to state interests in 1990- 1991, not only in its rulings but also in its reluctance to continue hearing large numbers of cases. Compared to an average total of 155 written opinions in recent years, the Court issued only 112 such opinions during its 1990-1991 term.

State and Local Self-Governance

Regarding the organization and operation of state and local governments, the Supreme Court extended some federal restrictions and narrowed others.

In *Rutan v. Republican Party of Illinois* (1990), the Court voted 5-4 to disallow partisan political considerations in hiring, promoting and transferring most state and local employees. Only high-level policymaking positions appear to be immune from the ruling.

In a related unanimous decision, *Hafer v. Melo* (1991), the Court made it easier for private citizens and public employees to hold state and local officials personally liable for decisions and actions taken in the course of their public work.

In *McCormick v. United States* (1991), the Court voted 6-3 to make it more difficult to prosecute elected state and local officials on grounds of extortion for accepting campaign contributions from parties desiring to influence their decisions. The Court held that such prosecutions require proof of a direct link between a contribution and an official's decision. In *Spallone et al. v. U.S.* (1990), the Court ruled 5-4 that contempt-of-court fines levied against members of the Yonkers, N.Y., city council were "an abuse of discretion" by the federal district-court judge. The judge should first have fined the city (Zimmerman 1990, 45-61).

In *Chisom v. Roemer* (1991), the Court ruled 6-3 that state judicial elections are covered by the U.S. **Voting Rights Act** of 1965. The decision will have a wide impact because 41 states elect at least some of their judges. In early 1992, however, the Court held 6-3 in *Presley v. Etowah County Commission*, that changes in the distribution of powers within a county government are not covered by the pre-clearance requirement of the **Voting Rights Act** "because such changes have no direct relation to, or impact on, voting." Justice John Paul Stevens dissented, arguing that the decision leaves state and local governments "free to . . . undermine the purpose of the act simply by transferring the authority of an elected official, who happens to be black, to another official or group controlled by the [white] majority."

State and Local Tax Powers

States lost three important tax cases in 1990-1991 and won several smaller victories.

In *McKesson Corp. v. Florida* (1990), the U.S. Supreme Court ruled unanimously that states must give "meaningful relief" to taxpayers after a state tax is found unconstitutional. On the same day, in *American Trucking Associations v. Smith*, the Court ruled 5-4 that taxpayers are entitled to retrospective relief when a state tax is found unconstitutional (though only from the date of a 1987 ruling, *American Trucking Associations v. Scheiner*). Then, in *James B. Beam Distilling Co. v. Georgia* (1991), the Court held 6-3 that when a group of taxpayers is due a retroactive refund, other taxpayers having a similar claim also may be entitled to a refund. Together, these decisions will have a sizable fiscal impact on many states.

In favorable decisions, the Court limited the ability of multinational corporations to challenge state business taxes in federal courts (*California Tax Franchise Board v. Alcan Aluminum*, 1990) and ruled unanimously that states may apply their general sales taxes to sales of religious books and articles by religious organizations (*Swaggert Ministries v. California*, 1990). The court also upheld Michigan's single business tax in a 7-2 decision (*Trinova Corp. v. Michigan Department of Treasury*, 1991). This decision could lead other states to adopt the tax.

In early 1992, the U.S. Supreme Court held 8-1 that state and local governments may tax certain lands within reservations owned by Indian tribes and their members (*County of Yakima v. Confederated Tribes and Bands of Yakima Indian Nation*). Ten states and counties in four others, supported the Yakima County, Wash., suit, which argued that Congress allotted certain tracts of land to Indians and expressly allowed state and local governments to tax those lands under the General Allotment Act. Finally, in *Leathers v. Medlock* (1991), the Court ruled 7-2 that states do not violate the First Amendment by taxing cable television operators and not other sectors of the mass media. About half of the states tax cable television.

State and Local Business Regulation

In a unanimous decision, *California v. American Stores Co.* (1990), the Supreme Court enhanced the states' power to break up mergers that violate federal antitrust law. However, the Court also held 5-4 that states cannot bring federal antitrust suits on behalf of consumers who charge energy producers with illegal price fixing (*Kansas and Missouri v. Utilicorp*, 1990). In challenges to state pension regulation and anti-subrogation laws, the Court relied on the **Employee Retirement Income Security Act's** broad provisions to preempt state powers in these areas (*Ingersoll-Rand Co. v. McClendon* (1990) and *FMC Corp. v. Holliday* (1990)).

In *Wisconsin Public Intervener v. Mortier* (1991), however, the Court ruled unanimously that local governments may enact pesticide regulations that are more stringent than federal rules, a decision that has been challenged by business concerns. A **Federal-State Pesticide Regulation Partnership Act** has been introduced in Congress. If enacted it would essentially overturn the court's ruling.

Finally, in *Pacific Mutual Life Insurance Co. v. Haslip* (1991), the Court upheld 7-1 a $1 million punitive damage verdict that stemmed from an unpaid insurance claim in the amount of $3,000. The Court said the question of whether such a large award violates a company's rights should be decided by state courts and legislatures.

State and Local Rights Regulation

State and local governments won a number of cases involving their authority to regulate rights and morals, beginning with *Michigan v. Sitz* (1990) in which the U.S. Supreme Court upheld 7-1 their authority to operate roadside sobriety checkpoints. In *Osborne v. Ohio* (1990), the Court declined 6-3 to overturn an Ohio law prohibiting personal possession of child pornography. In *Barnes v. Glen Theatre* (1991), the Court turned down a strip joint's appeal and upheld state and local police powers to ban nude dancing in private establishments. In *Cruzan v. Director, Missouri Dept. of Health* (1990), the Court ruled 5-4 that a state may require clear and convincing evidence that an incompetent patient wishes to die before medical personnel are allowed to remove life-support machinery.

The Court also issued two controversial abortion decisions. In *Hodgson v. Minnesota* (1990), the justices upheld 5-4 a Minnesota law requiring a minor to inform both of her parents before obtaining an abortion, so long as she has the alternative to obtain permission for an abortion from a judge. In *Ohio v. Akron Center for Reproductive Health* (1990), the Court upheld 6-3 an Ohio law requiring a minor to inform one of her parents before obtaining an abortion (Halva-Neubauer 1990, 27-44).

Finally, in a unanimous decision (*Farrey v. Sanderfoot*, 1991), the Court ruled that a divorced man cannot evade a state's divorce decree by filing for bankruptcy in federal court. In this case, a divorced Wisconsin couple agreed to split their $60,000 house equally. The man remained in the house, while the woman received a $30,000 lien. Immediately after the divorce decree, the man filed for bankruptcy. A federal appeals court had sustained the filing and held that it negated the woman's lien.

State and Local Criminal Processes

State and local governments also won a number of cases in criminal and victims' rights. For the first time, the U.S. Supreme Court formally recognized state efforts to protect the rights of crime victims. In *Payne v. Tennessee* (1991), the Court ruled 6-3 that state courts may consider a crime's impact on its victims when deciding a criminal's punishment, even if it entails the death penalty. The Court also broadened the death penalty in a 5-4 decision (*Walton v. Arizona*, 1990) and let stand a state law mandating a life sentence with no parole for a first conviction for possession of a large amount of cocaine (*Harmelin v. Michigan*, 1990).

In a major habeas corpus decision, *Coleman v. Thompson* (1991), the Court voted 6-3 to overturn former Justice William J. Brennan's rights-based precedent, *Fay v. Noia* (1963). That decision gave state and local prisoners broad grounds on which to seek habeas corpus relief in federal courts. In *Coleman*, the Court took a different approach. "This is a case about federalism," wrote Justice O'Connor. "It concerns the respect that federal courts owe the states and the States' procedural rules." Then, in *McClesky v. Zant* (1991), the Court essentially held that prisoners should have only one opportunity to file habeas claims in federal court. In the past, death-row prisoners, in particular, filed repeated claims that sometimes continued for decades.

Finally, in a 5-4 decision (*Wilson v. Seiter*, 1991), the Court made it more difficult for state and local prisoners to sue wardens. The Court said inmates must show, "a culpable state of mind on the part of state officials."

The U.S. Supreme Court's deference to the states in civil and criminal rights cases seems to reflect several factors: a greater solicitude for federalism; retrenchment in the field of rights protection; uncertainty about how to resolve novel rights issues, such as the right to die; changing conceptions of rights, such as certain feminists' opposition to the classic civil libertarian approach to pornography; the emergence of counter-rights movements, such as victims' rights and the right to life; and Chief Justice William H. Rehnquist's concern about increasing case loads in the federal courts.

State and Local Liability to Suit

Two liability decisions in 1990 and 1991 have negative financial ramifications for states. In *Wilder v. Virginia Hospital Assoc.* (1990), the U.S. Supreme Court decided 5-4 that hospitals and nursing homes can sue states for higher Medicaid reimbursement rates. In *Dennis v. Higgins* (1991), the Court voted 7-2 to broaden the potential liability of states in Section 1983 federal-court actions by adding violations of the commerce clause to the list of individual rights actions available under the section. The decision provides citizens with another legal ground on which to challenge state taxes and to obtain attorneys' fees in successful cases.

However, the Court ruled 6-3 in *Blatchford (Hoffman) v. Native Village of Noatak* (1991) that the Eleventh Amendment bars Indian tribes from bringing damage suits against unconsenting states in federal courts. Lastly, in *Columbia v. Omni Outdoor Advertising* (1991), the Court voted 6-3 to give rather broad antitrust protection to local governments with respect to "any action that qualifies as state action."

State v. Federal Power

In what can be regarded as direct confrontations between federal and state power, the states did not fare well in 1990. In *California v. Federal Energy Regulatory Commission* (FERC), the U.S. Supreme Court ruled unanimously that California's minimum stream-flow requirements for fish conservation could not prevail over FERC's stream-flow requirements for a hydroelectric plant. Then, in another unanimous decision, *Perpich v. Department of Defense*, the Court held that a governor cannot veto a president's order dispatching state National Guard units on training missions outside of the United States (Beckman 1991, 109-123).

However, the Court provided state and local governments greater room for relief from federal court orders. In *Board of Education v. Dowell* (1991), the Court further loosened the standards governing the dissolution of school desegregation decrees. In January 1992, the Court ruled 6-2 that federal district courts should use something more flexible than the 1932 "grievous wrong" standard in responding to state and local requests for changes in consent decrees governing their institutions as a result of institutional reform ligation. In *Rufo v. Inmates of Suffolk County Jail*, a case involving "double celling," the Court said the surge of institutional reform litigation since 1954 "has made the ability of a district court to modify a decree in response to changed circumstances all the more important." However, "a party seeking modification of a consent decree bears the burden of establishing" that there has been a "significant change in factual conditions or in law."

In an *amicus* brief, the State and Local Legal Center had urged the Court to adopt a "less burdensome alternative" standard. The Court did not go this far, but generally concurred with the center's argument for federal deference to state and local officials. Within the constraints of the "flexible standard" rule, the Court said, "the public interest and . . . the allocation of powers within our federal system . . . require that the district court defer to local government administrators." Courts also should recognize fiscal concerns: "Financial constraints may not be used to justify the creation or perpetuation of constitutional violations, but they are a legitimate concern of government defendants" and "are appropriately considered in tailoring a consent decree modification.” The Court emphasized, however, that state and local officials should not be allowed to drive a decree down “to the constitutional floor” if they had originally agreed to something more than that. In 1991, the prison systems of nine states and one or more major prisons in 30 states were operating under a federal court order or consent decree.

The New Judicial Federalism

An often overlooked facet of federal-state judicial interaction is the “new judicial federalism.” Here, state courts grant broader rights protection under their state constitution than the U.S. Supreme Court is willing to grant under the U.S. Bill of Rights. When such a state court decision is based on “independent and adequate” state constitutional grounds, the decision is not subject to review by the U.S. Supreme Court (Kincaid 1988, 163-169).

This process continued in 1990 and 1991. For example, in *California v. Greenwood* (1988), the U.S. Supreme Court ruled that the Fourth Amendment does not require police to obtain a warrant to search trash a person has put out for curbside collection. In *State v. Hemple* (1990), however, the New Jersey Supreme Court ruled that under the state constitution's analogous search-and-seizure provision, New Jersey police must obtain a warrant to search curbside trash (Friedelbaum 1991, 27-29). Since the early 1970s, state courts have issued more than 600 decisions of this type.

This generally liberal movement, however, took a new turn in 1991 when the Pennsylvania Supreme Court struck down Philadelphia's historic-landmark ordinance requiring just compensation when a government takes private property for a public purpose. At issue is when a government's regulation of private property is so restrictive as to constitute a “taking” requiring compensation. A liberal construction of “takings” will have substantial limiting effects on state and local regulation of private property (e.g., environmental protection, historic preservation, and zoning). The U.S. Supreme Court is expected to rule on several similar cases in 1992.

Constitutional Reform

In response to the continuing movement of power from states to the federal government, as reflected in mandates and pre-emptions, and in such U.S. Supreme Court decisions as *South Carolina v. Baker* (1988), the U.S. Advisory Commission on Intergovernmental Relations, National Governors' Association, National Conference of State Legislatures and The Council of State Governments endeavored to initiate constitutional reform in 1988-1990 to restore balance in the federal system. About 16 state legislatures passed resolutions in support of constitutional reform. This activity waned in December 1989, however, after the National Conference of State Legislatures could not muster the three-fourths vote needed in December 1989 to adopt an amendment proposal as a policy position. In addition, more favorable decisions from the U.S. Supreme Court in 1990 and 1991 reduced concern about constitutional change.

Nevertheless, citizen efforts to obtain state ratification of a congressional pay amendment continued. This proposal, left over from ratification of the U.S. Bill of Rights in 1791, would require an intervening U.S. House election before a pay raise could go into effect for members of Congress. Since this amendment has no time limit for ratification, only six states had ratified it by 1791, when congressional pay was $1,260 per year. Two more states had ratified by 1978, but 27 have ratified the amendment since 1983. Recent increases in congressional pay (to $125,000 per year) could stimulate public pressure to secure action from the three additional states needed for ratification.

Meanwhile, in April 1990, in response to *Missouri v. Jenkins* (1990), Sens. John Danforth and Christopher Bond of Missouri introduced a bill to amend the U.S. Constitution to prohibit federal judges from imposing state and local taxes to pay for court orders. No action was taken on the bill. In July 1990, the U.S. House voted 279-150 against a proposed balanced budget amendment. In June 1991, the U.S. Conference of Mayors rejected a committee recommendation for a constitutional amendment to guarantee cities a specified percentage of federal revenue. The proposal largely reflected concern on the part of big-city mayors about the continuing erosion of federal aid to local governments.

International Developments

In 1991, the National Governors' Association, reflecting governors' increasing concern about economic growth, urged the extension of "fast-track" authority for the president to encourage a successful conclusion to the Uruguay Round of Negotiations on the General Agreement on Tariffs and Trade. State officials also debated the negotiation of a free trade agreement with Mexico intended to create a Canada-United States-Mexico North American free trade area. However, the emergence of an "America first" climate in 1992 and concerns about environmental protection in Mexico and possible losses of U.S. manufacturing jobs placed the agreement on a slow track. Moreover, Quebec's threat to secede from Canada raised questions about the future of the Canada-U.S. Free Trade Agreement (Bowman, Pagano and Kincaid 1991, 1-26).

At the same time, communism's collapse in Eastern Europe and the Soviet Union, and then, the collapse of the Soviet Union itself at the end of 1991 confronted state and local officials across the country with new trade possibilities, and numerous requests for assistance in framing constitutions and building democratic institutions. All of the national associations of state and local governments have devoted more attention to international affairs and provided more technical assistance abroad. In December 1991, a delegation of federal, state and local officials, organized by the International Center in Washington, D.C., with the assistance of the U.S. Advisory Commission on Intergovernmental Relations, met in Moscow with officials from around the former Soviet Union; they discussed the possibility of establishing an effort by state and local officials to provide ongoing technical assistance to republics of the new Commonwealth of Independent States.

Coercive Federalism

While many nations in the rest of the world are decentralizing power, either voluntarily or involuntarily, the American federal system continues to move in a centralist direction, with the behavior of the federal government becoming increasingly coercive (Kincaid 1990, 139-152). Despite the resurgence of the states during the 1980s, the federal government continues to surround, permeate and drive most aspects of state and local government in the 1990s.

Although the states are able to block some federal mandates and pre-emptions, each year brings new ones, especially when the Congress clears its legislative backlog at the end of the two-year session.

President Bush reaffirmed Ronald Reagan's federalism Executive Order 12612 in February 1990; nevertheless, in 1990 and 1991 the Congress enacted, and the president signed, at least 23 mandates; Bush recommended sweeping pre-emptions of state banking powers; EPA imposed a last-minute veto on construction of the Two Forks dam in Colorado; and Bush proposed to devolve power to the states through a consolidated block grant accounting for less than 14 percent of all grant funding.

Only in the U.S. Supreme Court did state and local governments hold or gain ground in the contest between federal and state power. However, the Court has not articulated a coherent philosophy of federalism, and few state and local victories have been based on federalism. Even in the field of pre-emption, the Court essentially has said only that it will not infer pre-emption where the Congress has not explicitly stated its intent to pre-empt state or local powers. Presumably, whenever the Congress makes a plain statement of preemption, the Court will uphold that preemption — unless states can show the congressional process producing the pre-emption was fundamentally defective. The Court will continue to be more friendly to state and local interests, but a resurgence of federalism or resurrection of the Tenth Amendment seems unlikely in the near future.

Furthermore, even though most Americans today seem to regard the federal government's decision-making processes as defective, there continues to be strong pressure for federal action, in part because only the federal government can give people what they want — lower taxes and more programs. The federal government can do this by engaging in deficit spending and passing costs onto state and local governments, leaving them to give people what they do not want — higher taxes and fewer services.

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Table 9.1
TOTAL FEDERAL AID TO STATES: FISCAL 1985-1990
(In thousands of dollars)

State or other jurisdiction	*1990*	*1989*	*1988*	*1987*	*1986*	*1985*
Total	$134,456,902	$121,076,587	$114,610,326	$107,962,463	$112,596,374	$105,478,200
Alabama	2,100,764	1,801,588	1,721,415	1,559,202	1,758,540	1,719,040
Alaska	716,528	882,751	592,779	623,914	664,264	639,871
Arizona	1,619,474	1,305,187	1,176,665	1,188,406	1,206,279	1,121,528
Arkansas	1,250,163	1,106,408	1,011,046	1,008,653	1,123,249	1,013,635
California	13,932,372	11,935,898	11,676,158	11,005,940	11,291,464	10,558,790
Colorado	1,429,301	1 359,053	1,240,940	1,151,955	1,220,384	1,165,999
Connecticut	1,972,950	1,770,801	1,542,093	1,489,038	1,501,275	1,377,388
Delaware	313,354	312,941	318,505	301,429	313,591	318,028
Florida	4,576,009	4,094,848	3,418,506	3,154,741	3,244,213	3,121,681
Georgia	3,135,659	3,088,835	2,964,083	2,511,883	2,731,619	2,371,486
Hawaii	598,470	528,255	477,207	459,687	473,368	435,570
Idaho	569,276	401,371	477,016	391,598	434,913	444,926
Illinois	5,280,266	4,889,002	4,670,274	4,467,816	5,009,911	4,688,411
Indiana	2,422,872	2,114,774	1,960,024	1,981,871	2,000,307	1,825,318
Iowa	1,288,989	1,182,838	1,199,499	1,089,827	1,158,209	1,163,730
Kansas	1,021,230	912,193	880,474	847,860	883,894	855,971
Kentucky	2,044,457	1,853,243	1,766,251	1,701,541	1,784,168	1,763,550
Louisiana	2,657,516	2,304,117	2,135,166	1,918,583	2,038,882	1,785,154
Maine	762,109	888,484	664,772	688,915	672,328	659,419
Maryland	2,349,785	2,155,986	2,004,233	2,002,057	1,959,278	1,811,665
Massachusetts	3,857,344	3,888,268	3,327,712	2,983,388	3,081,662	2,842,210
Michigan	4,751,226	4,553,349	4,242,888	4,199,194	4,353,181	3,961,474
Minnesota	2,366,416	2,268,867	2,119,637	2,037,109	2,109,814	1,982,655
Mississippi	1,595,004	1,365,658	1,324,442	1,273,712	1,344,494	1,188,296
Missouri	2,177,027	2,030,540	1,941,546	1,926,050	1,982,447	1,935,316
Montana	591,096	558,622	546,279	539,599	591,747	583,689
Nebraska	779,406	709,000	712,122	606,860	660,741	675,346
Nevada	442,384	369,435	335,985	383,980	418,308	387,267
New Hampshire	427,367	410,726	397,954	388,811	404,309	419,964
New Jersey	3,976,755	3,570,378	3,327,501	3,326,973	3,353,546	2,945,210
New Mexico	958,997	906,709	830,912	779,226	856,588	891,071
New York	15,761,356	13,699,923	12,494,241	11,932,082	12,380,416	11,092,526
North Carolina	2,942,227	2,498,366	2,298,940	2,171,329	2,281,011	2,133,677
North Dakota	470,674	431,415	461,980	418,611	433,148	452,291
Ohio	5,387,549	4,964,778	4,693,458	4,381,699	4,763,920	4,158,358
Oklahoma	1,567,525	1,506,083	1,405,840	1,317,079	1,399,610	1,235,997
Oregon	1,708,135	1,426,310	1,322,446	1,243,443	1,339,996	1,449,139
Pennsylvania	6,124,865	6,390,373	5,792,860	5,270,904	5,717,963	4,963,560
Rhode Island	772,571	684,491	643,534	549,931	570,166	573,163
South Carolina	1,891,512	1,454,533	1,353,889	1,280,001	1,322,214	1,323,560
South Dakota	511,103	463,967	443,239	439,946	457,384	480,179
Tennessee	2,716,606	2,353,235	2,225,396	2,018,033	2,128,234	2,049,340
Texas	6,888,522	5,974,497	5,167,843	4,853,015	5,224,805	4,476,730
Utah	838,463	822,282	725,196	783,799	807,257	759,414
Vermont	376,840	356,478	323,815	313,919	334,006	336,386
Virginia	2,236,501	2,118,967	1,960,899	1,905,191	1,994,506	1,816,529
Washington	2,567,777	2,293,584	2,170,381	1,978,389	1,904,876	1,826,295
West Virginia	1,008,506	951,758	1,056,215	1,028,299	1,062,941	904,024
Wisconsin	2,538,316	2,312,417	2,227,796	2,155,409	2,309,880	2,111,744
Wyoming	568,153	483,681	447,642	449,026	471,237	503,437
Dist. of Columbia	1,718,018	1,522,930	1,615,095	1,514,779	1,423,040	1,498,202
Puerto Rico	3,081,712	2,514,790	2,389,811	2,306,545	2,296,490	2,347,583
U.S. Virgin Islands	272,902	116,322	120,799	119,090	141,158	131,661
Other	240,610 (a)	251,010 (a)	206,633 (b)	200,780 (b)	346,486 (c)	314,330 (c)
Adjustments or undistributed to states	301,964	364,525	2,058,282	1,331,377	858,675	1,856,417

Source: U.S. Bureau of the Census, *Federal Expenditures by State for Fiscal Year 1990*; and previous annual reports.

(a) Includes American Samoa, Guam and Northern Mariana Islands.

(b) Includes American Samoa, Guam, Northern Mariana Islands and Trust Territory of the Pacific.

(c) Includes American Samoa, Guam, Northern Mariana Islands, Tokelau Islands, Trust Territory of the Pacific and Saipan.

DEVELOPMENTS IN STATE-LOCAL RELATIONS, 1990-91

By Joseph F. Zimmerman

New state mandates and mandate relief actions dominated state-local relations during 1990 and 1991. State mandates — constitutional, legislative or administrative requirements that local governments must undertake specified activities or meet minimum state standards on services — continued to be a major irritant in relations between state and local governments.

State legislatures and voters provided local governments beset by the recession some relief from the fiscal burdens of mandates and lessened state restraints upon their discretionary authority.

Study Groups

Study commissions issued major reports on state-local relations in 1990 and 1991. The Colorado Advisory Committee on Intergovernmental Relations, a volunteer group of state and local government officials, released its final report on local government mandates in 1991. The committee urged the state legislature to stop imposing unfunded environmental and school mandates; and to create regional or joint facilities for certain state and county inmates.

In 1990, Connecticut's Advisory Commission on Intergovernmental Relations released *Local Government Cooperative Ventures in Connecticut* — describing cooperative programs. All towns participate in such arrangements, but most typically involve "peripheral municipal services or isolated aspects of basic services." The commission reported there is little state encouragement of cooperation except for solid waste disposal.

Florida Gov. Lawton Chiles' Commission for Government by the People issued a report in 1991 recommending changes in education, human investment, public safety, growth policy and governance.

Florida's Advisory Council on Intergovernmental Relations (ACIR) issued six major reports during 1991, including two on corrections: *1990 Jail Expenditures in Florida* and *Current Need for and Status of Pretrial Intervention Procedures in Florida's Criminal Courts.* A third report offers a comprehensive review of service delivery responsibilities of municipalities, counties and special districts. A fourth — *Substate Regional Governance: Evolution and Manifestations Throughout the United States and Florida* — reviews the issues of annexation, transfers of functional responsibility, interlocal service agreements, city-county consolidation, metropolitan federation, regional governance in other states, substate regional governance in Florida, and the federal government's influence in promoting areawide planning and substate regionalism.

The Florida ACIR also issued two reports relating to local government finance. The first survey found that more counties were levying impact fees in 1991 than in 1989. The second report identified county and municipal government revenue options, including: partial-year property tax assessments; local option interim proprietary and general services fees; inclusion of $10,000 of taxable value on homesteads under $25,000 on the tax rolls; a county per parcel assessment for jail operations; a county real property transfer fee; a county public service tax on electricity, metered or bottled gas, and water services; permission for local governments to increase the occupa-

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tional license tax; removal of the referendum requirement on the county gas tax; and expansion of the application of the local option gas tax to aviation fuel.

The 1991 Georgia General Assembly created a commission to examine local governance. The Association of County Commissioners of Georgia suggested an examination of annexation, distribution of local option sales tax proceeds, regional approaches to solving problems and local option income taxes.

The League of Minnesota Cities issued a report, *Cooperation and Consolidation Survey* (December 1991), on cooperative efforts involving cities, the outlook for future agreements, and city views on government consolidation. Nearly 90 percent of the cities have at least one cooperative or joint agreement with another local government. All of the larger cities have at least one cooperative agreement, and 51 percent of the cities with populations under 1,000 have between one and five agreements. Firefighting and law enforcement agreements are the most common types.

The Minnesota report noted that obstacles include: the distance between cities; higher costs; lack of staff in small cities to study possible agreements; citizen resistance to changes in services; and differences between local governments.

The New Jersey County and Municipal Government Study Commission released reports on code enforcement and human services in 1990. The latter report resulted in the transfer of $258 million of county, and $31 million of municipal, human service costs to the state in 1991.

In 1991, the New York State Governor's Blue Ribbon Commission on Consolidation of Local Governments issued reports by its subcommittees on local government structure, intergovernmental services and general finance/administration.

Recommendations include expanded authority to enter inter-muncipal agreements, improved merger procedures; facilitated regional consolidation; additional state technical assistance; and consolidated improvement town districts.

Also recommended was a law for regional councils of governments, defining regions on the basis of demographic, economic and geographic considerations; and reviewing statutes and regulations that inhibit consolidated local services.

Other proposals advocated legislative authorization for local government property and liability insurance pools; a state computerized inventory of surplus goods and equipment available to local governments; cooperative local purchasing councils; state assistance for managers to contract with two or more local governments; shared assessment professionals by smaller municipalities; and county/town processing of tax bills, payments and reports by telephone.

The Government Law Center of the Albany Law School issued a report in 1991 titled *Impact Fees for New York Municipalities: Time for Legislative Action?* The report reviews arguments and legal challenges to impact fees. The report recommends a state law authorizing municipalities to levy impact fees for capital improvements and public services.

Utah's Advisory Council on Intergovernmental Relations released a 1991 report identifying 355 state mandates — 85 percent in statutes and 15 percent in state rules and regulations. A survey revealed that local government officials consider state mandates a major issue, more burdensome than federal mandates, and deemed environment, health and finance mandates most burdensome.

The Washington State Growth Strategies Commission proposed in 1990 to Gov. Booth Gardner actions to protect the environment, conserve agricultural and forest lands, make cities more livable, and provide affordable housing, among other issues. That year the Governor's Task Force on Homelessness issued *A Comprehensive Political and Social Strategy to End Homelessness.*

In California, the Bay Vision 2020 Commission released a 1991 report concluding that regional governance in the San Francisco Bay area is inadequate, and recommending a consolidated nine-county Regional Commission. The commission would replace the Bay Area

Air Quality Management District, the Metropolitan Transportation Commission, and the Association of Bay Area Governments.

Local Discretionary Authority

Several legislatures authorized local governments to form charter commissions or broadened the authority of local governments in specific areas. Few state statutes reduced local discretionary authority.

Local Agency Formation Commissions (LAFCOs), created by the California Legislature nearly 30 years ago, continue to handle annexations, establishment of urban services districts, and the incorporation of municipalities in areas of population growth. LAFCOs attempt to balance population pressures with state goals of conserving agricultural land, providing urban services and preventing urban sprawl. Although LAFCOs have had success, two of four growth management bills in the 1992 Legislature call for regional bodies to make boundary change decisions. In addition, in 1991, Gov. Pete Wilson appointed a committee to examine population growth in California.

In Florida, Clay County in 1990 became the thirteenth county in the state to approve a home rule charter providing for a five-member board of county commissioners and a county manager. The same year, voters in Alachua County and Gainesville rejected a proposed county-city consolidation. However, a 1990 Florida law authorized Gainesville to annex unincorporated areas. A referendum in the proposed annexation area was held on March 3, 1992 and voters rejected the proposed annexation by a vote of 5,978 to 6,186. On Nov. 3, 1992, a referendum will be held on a proposed charter merging the city of Tallahassee and Leon County.

In Georgia, a charter consolidating the city of Athens and Clarke County was approved by voters in August 1990. The 1991 Georgia General Assembly allowed the city of Douglasville and Douglas County to draft a unification charter for voter consideration, and created a Unification Study Commission for the city of Cumming and Forsyth County, but did not authorize it to draft a consolidation charter.

The 1991 Iowa General Assembly restricted urban renewal districts and set energy efficiency requirements for street and flood lights. It also prohibited political subdivisions from adopting firearms ordinances that are more restrictive than state provisions.

In Minnesota's Ramsey County (including St. Paul and suburbs), voters on Nov. 6, 1990, by a margin of 58 to 42 percent, ratified a home rule proposal, effective January 1992. The charter provides for a seven-member board of commissioners elected by district and a county manager.

In 1991, the New Hampshire legislature specified the required and optional elements for city and town charters. The legislature also authorized town meetings to restrict the reconsideration of previous votes to prevent a small number of voters from reversing decisions made by a larger number earlier. Other new laws facilitated establishment of municipal development districts and authorized municipal building inspectors and zoning officers to issue a "Local Land Use Citation," similar to a traffic citation. New Hampshire cities and towns may include impact fees as part of a zoning ordinance, provided they have a capital improvement program.

New Hampshire's Supreme Court in 1991 ruled that it would be constitutional for the General Court to allow residents of Weirs Beach in the city of Laconia to organize a town government. That same year, the court also ruled that cities and towns may close their sewer systems without compensating residents who rely on the systems.

In 1991, New York, in amendments to the Mined Land Reclamation Act of 1974, clarified the jurisdictional responsibility of the state and local governments relative to mining regulation. Local governments are superseded from regulating or reclaiming mines. But local governments may require special use permits for access to local roads, truck routings on local roads, and enforcement of state Department of Environmental Conservation mining permit conditions governing set-backs, rights-of-way, man-made barriers, dust control and hours of operation.

In addition, a notice and a copy of completed permit applications for new mines must be provided to the chief local government official, who has 30 days to recommend permit conditions to the Department of Environmental Conservation. If the recommendations are reasonable and necessary, the department must incorporate them; otherwise, it must write the official as to why the recommendations were not incorporated.

The 1991 Oklahoma legislature authorized counties within a 10-mile radius of a hazardous waste or toxic waste disposal facility to establish a special development trust fund to receive 10 percent of the annual fees paid by the facilities. Off-site hazardous waste disposal facilities or incinerators may not be constructed within eight miles of a city or a town, unless the facility is a multi-user site in an industrial park that manages only wastes produced within the park.

The 1991 Tennessee General Assembly prohibited cities from licensing and regulating burglar and security alarm companies; required certification of local codes personnel; and required a regional approach to comprehensive solid waste planning and management.

In Texas, a constitutional amendment approved by voters in November 1991 authorizes home rule cities to amend their charters if their population drops below 5,000. A second constitutional amendment, also ratified by voters, authorizes the state legislature to exempt non-profit water or wastewater service corporations from ad valorem taxation by cities, schools, counties and special districts. Finally, the Texas Supreme Court in *City v. Responsible Dog Owners of Texas* (1990) ruled that a city ordinance may make specified conduct a criminal offense and impose a fine even if the conduct is a criminal offense - subject to a state penalty.

New and Expanded State Mandates

Georgia's 1990 County Leadership Act required, effective January 1991, that all new county commissioners complete an 18-hour training course conducted by the Association of County Commissioners of Georgia and the Carl Vinson Institute of Government of the University of Georgia.

The 1990 Iowa General Assembly required that each city with a population over 29,000 have a Civil Rights Commission; increased pension benefits and contributions for city employees; and increased the training requirement for reserve peace officers.

New Minnesota mandates in 1990 and 1992 included authorizing counties to mandate recycling responsibilities to cities. The state commissioner of natural resources was given approval power over shoreland management ordinances and land use. Cities were ordered to open all meetings to the public, and required to give public meeting notices and retain agendas and minutes. A truth-in-taxation law required cities to set tax levies by September and required newspaper ads of proposed property tax changes.

In 1991, Montana imposed two new mandates upon counties: the first provided for the removal of juveniles from adult jails, and the second established strict standards for solid waste disposal sites.

That same year, Oklahoma required county court clerks to transmit 2.5 percent of the amount in the court fund to the state Supreme Court for an indigent defense system revolving fund. Under another law, 10 percent of local voters can petition to have the local government's books audited by the state with the cost paid by the local government. Public housing authorities must provide separate or secure housing for elderly and disabled residents to protect them from criminal and hazardous activities.

Pennsylvania in 1990 required counties to appoint a coordinator and develop 911 plans that meet minimum state technical standards.

Texas in 1991 authorized the state Department of Health to register professional code enforcement officers and prescribe their standards and educational requirements.

The Washington 1990 Growth Management Act required cities and counties to plan for growth. The fastest growing counties must plan extensively in accordance with state goals that emphasize conservation of timber, agriculture and mineral resources lands; protection of critical areas; planning coordination among neighboring jurisdictions; consistency of capital and transportation plans with land use plans, and early and continuous public participation in the land use planning process.

Mandate Relief

During 1990-1991, two states adopted constitutional amendments restricting the imposition of state mandates, while others enacted laws providing some relief from specific mandates.

In 1990, Florida became the fourteenth state to amend its constitution to address the mandate issue (Art. VIII, Sec. 18). The amendment provides that counties and municipalities are not bound by a state mandate enacted by general law unless the legislature determines that the law fulfills an important state interest, and funds have been appropriated to cover the mandated expenditures; or the legislature has authorized a county or municipality to enact a mandate funding source not previously available for the jurisdiction; or the mandate law is approved by a two-thirds vote of the entire membership of each house; or the expenditure is required to comply with a law that applies to all persons similarly situated, including the state and local governments; or the law was enacted to comply with a federal requirement or eligibility requirement for a federal entitlement.

The amendment forbids the legislature (except by two-thirds vote of the membership of each house) to enact, amend or repeal any general law if the effect would be to reduce the aggregate revenue raising of authority municipalities or counties. Similarly the legislature is forbidden (except by a two-thirds vote of the membership of each house) to enact a general law reducing the percentage of a state tax shared with counties and municipalities.

The following, however, are exempted from the requirements: laws requiring the funding of pension benefits existing on the amendment's effective date; criminal laws; election laws; the general and special appropriations acts; laws reauthorizing, but not expanding, then-existing statutory authority; laws having insignificant fiscal impact; and laws creating, modifying or repealing noncriminal infractions.

Acting under the amendment's authority, the Florida Legislature passed S.B. 2000, which Gov. Lawton Chiles vetoed. He said it placed extraordinary burdens on local governments that elect to avail themselves of the protection afforded by the provision. He said that the bill defined "insignificant impact" as an amount not greater than $1.4 million, whereas the legislature for purposes of its appropriation process, defines "insignificant fiscal impact" to be an amount not greater than $50,000.

Louisiana's Constitution stipulates that a special law requiring increased wage and employee fringe benefit expenditures does not become effective until it is approved by the affected local government body or until the state legislature appropriates funds (Art. VI, Sec. 14). On Oct. 19, 1991, Louisiana voters approved a constitutional amendment expanding local governments' protection against the imposition of costly state mandates. Section 14(a) provides that no law or state executive order, rule or regulation requiring increased expenditures will become effective within a political subdivision unless approved by an ordinance or resolution of its governing authority and funds are provided, or unless a law provides for a local source of revenue.

The amendment lists seven specific exceptions: (1) laws requested by a local government; (2) laws defining a new crime or redefining a crime; (3) all laws enacted prior to the amendment's ratification; (4) laws or regulations complying with federal mandates; (5) working conditions of firemen and policemen, including retirement benefits and sick leave; (6) mandates adopted by a two-thirds vote of each house of the legislature, and implementing rules and regulations; and (7) laws having insignificant fiscal impacts on the affected political subdivision.

In 1991, Colorado enacted legislation stipulating that no new state mandate or increase in the service level for an existing mandate shall be imposed on any local government by the legislature or any state agency unless the state provides additional moneys for the costs (H.B. 91-1262).

Minnesota's Chapter 604, enacted in 1990, authorizes any local government to appeal to the state Commission on Planning and Fiscal Policy for review of any existing or proposed rule that imposes a fiscal or administrative burden unnecessary to accomplish the statewide policy goals and requirements of the statute authorizing the rule. Chapter 345 (1991) directs the commission, after consulting with the governor and chairpersons of legislative standing committees, to select state mandates for review.

New Hampshire's Chapter 384 (1991) requires state agencies to file a fiscal impact statement that a proposed rule does not contain a reimbursable mandate. Chapter 103 (1991) requires the word "local" to appear on all state laws and amendments that impact local government expenditures or that require the state to forward all or part of earmarked revenues to municipalities. In 1992, the New Hampshire ballot will contain a proposed constitutional amendment allowing the General Court to veto administrative rules and regulations, thereby preventing administrative mandates.

New York's Chapter 305 (1991) requires all state agencies to identify clearly all state mandates contained in proposed rules and regulations. Chapter 413, also enacted in 1991, contains many mandate relief proposals developed by associations of local governments in conjunction with the governor.

California required its Commission on State Mandates to report to the state legislature on the number of state mandates, the estimated statewide costs of each mandate, and the reasons for recommending reimbursement of mandated costs (Section 17600, Calif. Government Code). In 1990, the commission issued reports on approved and denied mandate claims. The first report contained five mandate findings and an explanation of the reimbursable costs areas. The second described seven laws where mandate claims were denied by the commission.

In 1991, the California commission updated its *Local Government Guide to the Mandate Process*, which explains the requirements for filing claims with the commission for reimbursement of state mandated costs guaranteed by the state constitution (Art. XIIIB, Sec. 6).

Mandate Studies

On Oct. 16, 1991, Connecticut Gov. Lowell P. Weicker, Jr., directed each state agency head to "review and evaluate the continued appropriateness and level of reimbursement to municipalities of the regulations formally adopted to implement the statutory state mandates," and to submit a written report to the state's Advisory Commission on Intergovernmental Relations. The commission will use the information supplied, supplemented by its own research, to develop a comprehensive set of recommendations on state mandates.

The Florida Advisory Council on Intergovernmental Relations released its *1990 Report on Mandates and Measures Affecting Local Government Fiscal Capacity* in January 1991, and in September of that year issued a similar report on 1991 mandates. Thirty-six mandates were enacted in 1990, compared to 38 in 1989. During 1982 to 1990, between 8.1 and 12.8 percent of general bills enacted into law contained mandates. During 1990, 27 general laws required a municipality or county to perform an activity or provide a service or facility, or restricted a municipality's or county's revenues or revenue generating capacity. Half of the mandates imposed procedural requirements, while a quarter imposed programmatic requirements.

In 1991, the Florida Legislature enacted 14 bills containing mandates. Eleven laws required counties and municipalities to provide a new or expanded service and four reduced the revenue generating authority of these governments. Twelve bills were deemed exempt from the constitutional ban on mandates because they had insignificant fiscal impact; one was exempted because the mandated costs were related to a federal requirement, and another was enacted by more than a two-thirds vote in each house. Although not related directly to the mandates, other new laws provided a minimum of $12 million in new tax and fee revenues to counties and municipalities. The commission concluded the state's 1990 constitutional amendment elevated the mandates issue through better screening of bills and a more deliberate attempt to estimate the fiscal impacts of mandates.

The Iowa General Assembly's State Budget and Budget Practices Study Committee is studying state mandates and has asked the League of Iowa Municipalities and the state association of counties to provide lists of state mandates imposing costs upon local governments.

Wisconsin's Legislative Reference Bureau released *Financing State Mandates*, reporting results of the November 1990 advisory referendum question on state mandate reimbursement. Approximately 70 percent of 1.1 million voters favored full state reimbursement of costs imposed upon local governments by state mandates. The report also contains a mandate definition, classification of mandates, a mandate restraint policy, and a survey of states with mandate reimbursement programs.

The 1991 New Hampshire General Court created a study committee to identify state mandates that should be repealed, and Georgia's Department of Community Affairs also is studying state mandates.

Legal Decisions and Advisory Opinions

On April 1, 1991, the U.S. Supreme Court in *City of Columbia et al. v. Omni Outdoor Advertising, Inc.* (111 S.Ct. 1344) ruled that a Columbia, S.C., ordinance restricting billboard construction was immune from federal antitrust liability. The ruling was based upon the Court's decision in *Parker v. Brown* (317 U.S. 341) which held that principles of federalism and state sovereignty render the Sherman Act inapplicable to state-imposed anti-competitive restraints. Although cities do not automatically possess *Parker* immunity, the Court held that the South Carolina zoning statutes authorized the city to regulate the billboards' location, spacing and size.

In *Fort Gratiot Sanitary Landfill v. Michigan Department of Natural Resources* (91-636), the U.S. Court of Appeals for the 6th Circuit ruled that under state law a county's refusal to permit disposal within its borders of solid wastes generated outside the county did not discriminate unlawfully against interstate commerce. The court pointed out that the policy treats both out-of-county and out-of-state solid waste equally.

In 1990, Alabama's Supreme Court in *Ex parte Lauderdale County* (565 So.2d 623) held that the state's Waste Disposal Act is not unconstitutionally vague, and that municipalities and counties must follow its standards when granting licenses for the solid waste disposal.

In *Jachimek v. Court* (CV-91-0086-PR), Arizona's Supreme Court ruled that a city of Phoenix ordinance, requiring pawn shops in the "inebriate district" to obtain a use permit, violated the uniformity requirement of the state constitution.

Arkansas' Supreme Court, in *Johnson v. Sunray Services, Inc.* (306 Ark. 497, 1991), ruled that county governments have authority to provide for more stringent sanitary landfill standards than the standards set by state law. That same year, the court ruled in *Arnold v. Kemp* (306 Ark. 294) that the $1,000 limit for indigent attorneys fees and $100 limit for expenses in capital murder cases are unconstitutional. As a result, county governments are responsible for paying attorneys a "reasonable fee" for their criminal defense work on behalf of indigent criminal defendants.

On Dec. 19, 1991, the California Supreme Court invalidated a San Diego County sales tax imposed to raise funds for jail and court construction. The court ruled that the one-half cent sales tax increase approved by the county voters in 1988 violated Proposition 13, the 1978 property tax limit which required a two-thirds vote of approval for "special taxes."

Also in California, on Dec. 23, 1991, the state Supreme Court in *IT Corporation v. Board* (S017701) ruled that state laws governing hazardous waste disposal facilities did not prevent a city or county from abating a clear and potentially dangerous violation of land-use regulations.

The Colorado Supreme Court in 1991 upheld the right of home rule municipalities to enact residency requirements for their employees.

In *Lizotte v. Commission* (1990), the Connecticut Supreme Court ruled that a town ordinance based upon the police power was not necessarily inconsistent with a state law on the subject simply because higher standards were established by the ordinance than by the state statute.

The Florida District Court of Appeals in *Gates v. City of Sanford* (15 FLW D2133, 1990) upheld the reasonableness of a city ordinance limiting to three each the number of cats and dogs that may be kept at a residence.

On Dec. 9, 1991, the Massachusetts Supreme Judicial Court in *Guiney v. Commissioner* (S-5652) held that the Boston Police Department's Rule 111, which authorizes random urinalysis drug testing of police officers, violates Article 14 of Massachusetts' Declaration of Rights.

The New Hampshire Supreme Court, on July 24, 1991, ruled unconstitutional the town of Chester's zoning ordinance, which provided that less than 2 percent of the town's available land may be used for multi-family developments. In *City v. Association of Portsmouth Teachers* (1991), the court upheld the validity of a city charter amendment prohibiting binding interest arbitration of collective bargaining impasses even though the State Public Employee Labor Relations Act authorizes alternative dispute resolution.

On Feb. 12, 1991, New York's State Court of Appeals, the highest state court, ruled that the State Fire Prevention and Building Code Council had authority to promulgate swimming pool enclosure regulations.

The North Carolina Supreme Court in *Wayne County Citizens Association v. Wayne County Board of Commissioners* (328 N.C. 24) ruled that lease-purchase financing was constitutional for counties.

In 1991, the Washington Supreme Court, in *Tacoma v. State* (117 Wn2d 348), upheld the city of Tacoma's claims for state reimbursement of costs incurred in complying with the Domestic Violence Prevention Act of 1984. In 1979, Washington voters had approved Initiative 62 (codified as RCW § 43.135) stipulating that the legislature shall not impose responsibility on any taxing district for new programs or increased levels of service under existing programs unless the districts are reimbursed for the costs by the state.

Florida's attorney general advised the city of Fernandina Beach that it may hire a city manager under a multi-year employment contract extending beyond the term of the present city commission, provided there is no specific pledge of ad valorem tax revenue to fund the contract. The attorney general advised the Dade County Board of County Commissioners that it may not delegate its legislative authority to zone property.

On Feb. 15, 1991, Georgia's attorney general issued an opinion that there is no conflict-of-interest if a member of the General Assembly or a member's law firm serves as a city attorney, including service as solicitor of the municipal court. The opinion noted, however, that a conflict could arise if the legislator's law partner acts as a registered agent for the firm's clients. If the legislator receives a pecuniary benefit for such an activity, it would conflict with his fiduciary obligation as a public officer.

In 1990-1991, the New York's attorney general issued various informal opinions relative to the powers of local government: a village may enact traffic regulations on private roads that are open to public motor vehicle traffic; a village board of trustees may establish a village manager form of government; a city may not require all motor vehicle towing businesses to maintain a place of business within the city in order to obtain a business license; a local government may not spend public funds for the conduct of a referendum without specific authorization by state law; a municipality may enact a local law requiring bicycle riders to wear helmets and prohibiting them from operating a bicycle with a passenger one year of age or younger; and a municipality may not collect past due real property taxes by making claims against the proceeds of fire insurance policies on one- and two-family dwellings.

On Sept. 17, 1991, the New York state comptroller advised a newly-incorporated village that it could enter into a cooperative agreement with the town in which it is located and use park trust funds to pay for additional recreational facilities in a park located near or readily accessible to the subdivisions from which the park land fees were received.

The Washington attorney general also issued a series of opinions in 1990 and 1991: a municipality may not levy a tax on the electric utility department of another municipality; a county sheriff's duty is to enforce state law in incorporated and unincorporated areas, and if a city cannot provide adequate police protection, the sheriff must factor that into allocating the office's resources; charter counties and cities, code cities and municipal corporations possess broad legislative power to self-fund employee health and welfare benefits; and charter cities and counties and non-charter first-class and code cities have authority to limit the number of terms a locally-elected officer may serve.

State Aid and Finance

In addition to the mandate relief actions described previously, some states increased financial assistance to local governments or state assumption of troubled local government's finances.

In 1991, California enacted the Trial Court Realignment and Efficiency Act (Ch. 90) authorizing an increase in the state's contribution for 1991-1992 from approximately 37 to 50 percent of court operating costs, and an increase to 70 percent by 1995-1996, at the annual rate of 5 percent. State revenues and cost savings are expected to exceed the increased state appropriation for court operations. Increased revenues are expected to come from the transfer of a substantial share of city and county revenues from fines, fees and forfeitures to the state; the increased collection of outstanding fines; higher state penalties on fines and forfeitures; and new fees. Cost savings are expected to result from court reforms contained in the law.

In addition, the 1991 California Health and Welfare Realignment Act (Ch. 89) is designed to reverse the pattern of cutbacks in state funding for health, mental health, juvenile justice and social services programs. A one-half cent sales tax and increases in vehicle license fees are expected to produce annual funding increases of around 8 percent. The state's new role of oversight, technical assistance and assessment, gives counties increased flexibility.

Continuing financial problems led the city of Bridgeport, Conn. to file for protection in the U.S. bankruptcy court on June 6, 1991. Since the city of 142,000 residents had been under the control of a State Financial Review Board created by the 1988 General Assembly, state officials challenged the bankruptcy filing on the ground such action requires state approval. The bankruptcy court subsequently rejected the city's petition.

The 1990 Massachusetts General Court (state legislature) established the Commonwealth Control Board to oversee the finances of Brockton, Mass., with 93,000 residents. The financial problems of Chelsea, a city of 28,000, became so great that the 1991 legislature placed the city's finances under the commonwealth's control. Chelsea became the first Massachusetts local government to be declared insolvent since the 1930s.

The 1991 Pennsylvania General Assembly created the Pennsylvania Intergovernmental Cooperation Authority (Act 1991-6) to aid Philadelphia. The city lacked authority to issue deficit reduction bonds, and its fiscal 1992 budget assumed a 1991 general fund deficit of $219.4 million and a 1992 deficit of $42.0 million.

The authority was allowed to issue bonds, grant or loan the proceeds to the city, exercise specified advisory and approval powers relative to the city's financial affairs (including a five-year financial plan to be adopted by the city), and withhold certain state payments to the city should it fail to comply with the provisions regarding the five-year financial plan.

Philadelphia levied a 1.5 percent tax on the wages, earnings and net profits of city residents with revenues used to secure the authority's bonds. The city and the commonwealth cannot repeal the tax or reduce its rate while bonds secured by the tax are outstanding. The act also authorized the city to levy a realty transfer tax and a sales and use tax.

In 1990-1991, several Pennsylvania municipalities were placed under the supervision of the Department of Community Affairs, which administers the Financially Distressed Municipalities Act. Also, several rural local governments and one urban municipality disbanded police forces, necessitating state police coverage.

The 1990 Maryland General Assembly provided some financial relief for the city of Baltimore by transferring control of Baltimore's City College to the state.

A 1990 New Jersey law authorized the state to assume responsibility for the developmentally disabled, general assistance and supplemental security income programs. In addition, the state assumed 95 percent of the costs of Aid to Families with Dependent Children and a greater proportion of the mental hospitals' operating costs. These actions are expected to reduce the counties' financial burden by approximately $258 million annually.

In 1991, New Jersey authorized counties to annually retain $10 million of the new state judicial fees to offset county court costs, effective in 1993. The legislature also provided $450 million in aid to municipalities for property tax relief in 1991, and strengthened the law that limits municipal expenditures.

On Dec. 11, 1991, the Montgomery County, N.Y., Board of Supervisors voted unanimously to sue the state for $2 million because of changes in state reimbursement rates for social welfare expenditures, delays in reimbursement and state control of expenditures.

On Dec. 26, 1991, the Saratoga County Board of Supervisors unanimously approved a resolution directing the county attorney to initiate legal action against the state for the "recovery of county monies expended (approximately $1 million) in reliance upon unfulfilled state aid projections." The resolution also seeks to prevent the state from reducing its projected reimbursement to the county for state-mandated programs. However, part of New York's problem can be attributed to the difference in fiscal years between local governments and the state, and the state legislature's delay in enacting appropriation bills.

The New York State Legislative Commission on State-Local Relations published a *Catalog of State and Federal Programs Aiding New York's Local Governments* (1991) revealing that approximately $20 billion of the $28 billion in disbursements from the state's general fund in fiscal 1991 were classified as grants to local governments. These grants provide approximately one-fourth of all local government revenues.

A report released in December 1991 by the School Boards Association, Council of School Superintendents, and Association of School Business Officials reveals that New York decreased its aid to school districts by $700 million during the previous year, which caused school districts to reduce services. Of the 408 districts responding, 44 percent reported budget cuts in classroom courses; 17 percent in programs such as remediation and special education; and 7 percent in gifted student programs. In addition, more than 7,000 school employees lost their jobs.

In 1991, Texas created tax regions, generally along county lines, to ensure that wealthy school districts share some of their revenues with poor districts within their respective regions. Judge Scott McCown of the Texas District Court upheld the constitutionality of the statute on April 15, 1991. Two years earlier, the Texas Supreme Court had upheld Judge McCown's decision that the state's system of public school financing was unconstitutional, and directed the state legislature to change the system. On Jan. 30, 1992, however, the Texas Supreme Court invalidated the tax regions law (*Carrollton-Farmers Branch Independent School District v. Edgewood Independent School District*).

Also in 1991, Texas enacted legislation authorizing the state to pay counties the cost of housing state prisoners in county jails.

Summary

In 1990 and 1991, study commissions in several states examined state-local relations and issued reports on unfunded state mandates, local discretionary authority, regional governance and impact fees. Legislatures in Florida, Georgia and Minnesota enacted laws facilitating the merger of specific cities with their respective counties. There was little interest in consolidating local governments in other states.

Overall, recent state laws have broadened the authority of local governments, as have several court decisions and advisory opinions of state attorneys general. However, these expansions of authority were offset in several states by new and expanded state mandates.

The most significant developments provided relief from unfunded state mandates. Florida and Louisiana voters approved constitutional amendments broadening protection against unfunded state mandates, and Colorado enacted similar statutory protection. Studies in other states may result in some mandate relief.

Many local governments are in fiscal trouble exacerbated by the national recession. Bridgeport, Conn., unsuccessfully sought protection in the U.S. bankruptcy court; two Massachusetts cities — Brockton and Chelsea — were placed under the control of state boards; and several Pennsylvania municipalities were placed under the control of the state's Department of Community Affairs. Pennsylvania moved to help finance Philadelphia's 1991 and 1992 deficits.

Developments during 1990 and 1991 suggest many states will attempt to relieve the burden of unfunded state mandates and to grant general purpose local governments additional discretionary authority.

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STATE AID TO LOCAL GOVERNMENTS, FISCAL 1990

By David Kellerman

State aid to local governments totaled $171.9 billion during fiscal 1990, a 5.7 percent increase over 1989. This represented the smallest increase in state aid since 1983, resulting from the increasingly difficult fiscal condition states found themselves in at the start of the 1990s. The 5.7 percent increase in state aid did not keep pace with the increase in state general expenditures during the year, 8.2 percent, nor with the increase in local government general expenditures, 9.5 percent.

Only the types of state aid involving a direct transfer of funds to local governments are included in the tables following this article. There is, however, a substantial amount of indirect aid in forms such as joint investment pools, financial guidance, "bond banks," payments on behalf of local government employees in state-administered employee retirement systems, the administration of local public employee retirement funds, and other activities.

Functional Distribution of State Aid

Education aid continued to be the largest functional category of state payments to local governments, making up nearly two-thirds of all state aid. Public welfare was the next largest functional category, followed by general local government support and highways, as shown in Table A.

During 1990, state aid for education increased to $109.3 billion, with 32 states distributing more than $1 billion each in aid. California outpaced all others by providing more than $18 billion to local school systems.

In some states, education aid is characterized by efforts to equalize among all local jurisdictions the money devoted to education. Such decisions are based on differences in the fiscal capacity of local areas and, subsequently, their tax effort, which can result in wide differences in per pupil spending or teacher salaries within a state. State aid is one method for helping local governments meet statewide standards and objectives for educational spending.

State aid for public welfare was $18.6 billion in 1990. Not all states, however, have local aid programs in public welfare; some administer public welfare programs directly,

Table A
Percent Distribution of State Aid, 1976-1990

Fiscal year	Total	*Percentage distributed by level of government* To local governments	To federal government	General local government support	*Percentage distributed by function* Education	Public welfare	Highways	Other
1976	100.0	98.0	2.0	9.8	58.9	16.4	5.6	9.3
1978	100.0	97.8	2.2	10.1	59.6	14.9	5.7	9.6
1980	100.0	97.9	2.1	10.2	62.3	13.0	5.2	9.2
1982	100.0	98.2	1.8	10.2	61.5	13.9	5.1	9.4
1984	100.0	98.4	1.6	9.9	62.3	12.6	5.2	10.0
1986	100.0	98.4	1.6	10.1	62.1	12.4	4.9	10.5
1988	100.0	98.3	1.7	9.8	62.9	11.6	4.6	11.1
1990	100.0	98.1	1.9	9.5	62.4	12.4	4.4	11.3

Source: U.S. Department of Commerce, Bureau of the Census.

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rather than allowing their county or city governments to do so. Aid for public welfare excludes state-to-federal intergovernmental expenditures, an additional $3.2 billion in 1990. Most of this amount was for Supplemental Security Income (SSI), which is classified as a public welfare program.

The next largest amount of state aid was for general local government support, which at $16.6 billion represented about 9.5 percent of all state aid. Much of this aid was from shared taxes, usually some portion of a state-imposed general sales tax.

State aid for highways continued to decline as a percentage of total state aid to localities. For 1990, highway aid totaled $7.8 billion, or 4.4 percent of all state intergovernmental expenditures. In absolute dollars, highway aid had risen an average of only 5.3 percent annually over the last five years, compared with annual growth of 7.5 percent for state intergovernmental aid overall.

This situation paralleled federal aid to states for highways, which had been characterized by slower growth since 1985. Some of the federal highway aid to states — $13.7 billion in 1990 — was shared with local governments. However, states have extensive highway expenditures of their own and impose a variety of taxes and fees to raise highway revenue in amounts over and above federal aid. The level of state aid to local governments for highways is affected by the extent to which a state decides to directly administer its own highway programs, as opposed to allowing the localities to do so.

The "other purposes" category of state aid came to just more than 11 percent of the total. In 1990, the $19.7 billion comprised health, $7.2 billion; transit subsidies, $2.3 billion; corrections, $1.4 billion; housing, $1.1 billion; sewerage, $.8 billion; and other, $6.9 billion.

Variations Among State Aid Programs

Several factors influence the level of state aid for local governments including the structure and organization of the local governments; the extent to which states have relinquished control to local governments for programs such as education, welfare and highways; and states' choices about how to fund the aid. These decisions in turn are affected by factors such as demographics, urbanization, geography and political tradition.

Nationally, state aid to local governments averaged about $693 per capita during 1990, ranging from lows of $82 in Hawaii and $198 in New Hampshire, to highs of $1,286 in Wyoming and $1,521 in Alaska. Table B shows the distribution of states based on per capita aid to local governments. Hawaii's low per capita figure reflects the fact that the state directly administers its elementary and secondary educational programs. Thus Hawaii has no state-to-local aid for education, the single largest category of aid in all other states.

Table B

Per Capita State Aid Distribution, 1990

Per capita amount	*Number of states*
Over $1,000	4
$900-$1,000	2
$800-$899	1
$700-$799	6
$600-$699	5
$500-$599	22
$400-$499	7
Less than $400	3

Source: U.S. Department of Commerce, Bureau of the Census.

Other states have common features that characterize their aid programs and the level of aid they provide. For example, the two states with the largest per capita aid to local governments — Alaska and Wyoming — channel "shared revenues" to their localities. Both have considerable revenue from their natural resources that they use to support local governments.

One common vehicle for state aid is property tax relief. Many states mandate tax relief programs for targeted groups, such as senior citizens. Such programs can be administered several ways, but the two most prevalent are state direct reimbursement to taxpayers (often via income tax credits or deductions) and state reimbursement to local governments for tax reductions granted to the targeted groups.

Lottery revenue is a popular source of state aid. Thirty-two states had lotteries during 1990. Often, lotteries have been approved by voters on the condition that profits be targeted for specific purposes such as education, as is the case in California, Iowa, Michigan, New Hampshire and New Jersey.

State Aid for Different Types of Governments

Table 9.9 shows the 1990 breakdown of state aid payments by type of receiving government, on a state-by-state basis. At the national level, independent school districts were targeted for most state aid — about 52 percent during fiscal 1990. However, school systems in general receive an even larger share of total state aid, since in many states the school systems are administered by city or county governments. In these cases, such as in Maryland, North Carolina and Virginia, the state intergovernmental expenditure to counties, municipalities or townships contains a large amount of money for education. This can be seen more clearly in Table 9.7, which shows $109.3 billion in state intergovernmental expenditure for education that includes $1.4 billion in Maryland, $3.8 billion in North Carolina and $2.4 billion in Virginia.

Counties, municipalities and townships comprise general-purpose local governments, and states channel about 43 percent of their aid to this group for a variety of functions ranging from education to highways, pollution control and mass transit.

For about 4 percent of state aid nationally, the Census Bureau classification cannot identify the local government recipients. These governments are included in the "combined" category.

A small share of state intergovernmental expenditure flows to the federal government. During 1990, 29 states made such payments, totaling $3.2 billion and representing about 1.8 percent of all state intergovernmental expenditures. State-to-federal payments primarily support the Supplemental Security Income (SSI) program. Many states have chosen to supplement the federal SSI payments by combining their benefit payments with the federal basic benefits. However, this is primarily an administrative convenience and not a true intergovernmental aid program.

Administering State Aid Programs

States face a variety of choices in administering aid programs for their local governments. Once a need is identified and agreed upon, the basic decisions of how to finance an aid program and how to allocate the funds must be made. Such decisions are not limited to aid programs created to fill a particular public need. The emergence of windfall revenues, such as from sudden changes in natural resource-related revenues, may prompt state officials to provide payments that will benefit citizens or their localities.

The methods used to finance state aid programs are sometimes based on the type of aid program. Programs for a single purpose often are financed by a related revenue source — for example, gas taxes fund highway aid or mass transit. Programs designed to meet multiple or general needs are more frequently financed by general revenue such as sales taxes or other general fund sources.

For aid programs targeted for a specific function, allocation decisions are usually based on need. General local support programs more often are allocated on the basis of an external factor, such as population or personal income, resulting in a more extensive and even distribution.

Decisions about financing and allocating state aid often are related. For example, a highway aid program might be financed by a user-related tax, such as a gas tax, and the funds allocated according where the tax was paid. Similarly, sales taxes usually are returned to the county or city of origin when they are used to finance aid for general local government support.

Other Types of State Aid

State aid as discussed to this point refers to direct financial assistance from a state to its local governments. A broader definition includes other state government activities that benefit local governments such as the provision of services, where the state takes over a program previously administered by its local governments.

Indirect state aid takes many forms. A common category involves state financial incentives for private business to locate or expand in a local area. The assumption is that the business creates jobs and enhances the local tax base or local economy in general. Financial incentives might be in the form of tax breaks, the creation of special trade or business enterprise zones or the issuance of tax-exempt municipal bonds for industrial development or pollution control purposes.

State aid also could be broadly defined to include the extension of local taxing authority, such as authorizing localities to impose a general sales tax and income tax. Some states even administer the local tax by collecting it along with the state levy, then returning it to the local jurisdiction. During 1990, this "piggybacking" could be found in 25 states for local general sales taxes, and five states for individual income taxes.

States also aid their local governments with public employee retirement systems. Many states administer one or more retirement systems for local government employees. For example, 31 states administer a retirement system specifically for local teachers or school employees. Some states also make government contributions to the retirement systems on behalf of local government employees.[1]

Additional Data Sources

A recent report of the National Association of State Budget Officers, *State Aid to Local Governments, 1990*, furnished information similar to the Bureau of the Census' annual reports.[2] The categorizations, explanations and tables are useful for analysis.

For historical data on this subject, the reader may consult reports issued every five years as part of the Census of Governments. Those publications describe the states' programs for financial grants and reimbursements to local governments and the amounts paid under each program.

Notes

[1] For statistics on public employee retirement systems, see the annual Census Bureau publication *Finances of Public Employee Retirement Systems.* See also "Finances of State-Administered Public Employee Retirement Systems, Fiscal 1990," and related tables in this edition of *The Book of the States.*

[2] *State Aid to Local Government 1990*, National Association of State Budget Officers (Washington, D.C.), February 1991.

Table 9.2
SUMMARY OF STATE INTERGOVERNMENTAL PAYMENTS: 1942 to 1990
(In millions, except per capita)

	Total			To local governments					
					For specified purposes				
Fiscal year	*Amount*	*Per capita*	*To federal governments (a)*	*For general local government support*	*Total*	*Education*	*Public welfare*	*Highways*	*All other*
1942	$ 1,780	$ 13.38	...	$ 224	$ 1,556	$ 790	$ 390	$ 344	$ 32
1944	1,842	13.95	...	274	1,568	861	368	298	41
1946	2,092	15.03	...	357	1,735	953	376	339	67
1948	3,283	22.60	...	428	2,855	1,554	648	507	146
1950	4,217	28.13	...	482	3,735	2,054	792	610	279
1951	4,678	30.78	...	513	4,165	2,248	974	667	276
1952	5,044	32.57	...	549	4,495	2,523	976	728	268
1953	5,384	34.20	...	592	4,792	2,737	981	803	271
1954	5,679	35.41	...	600	5,079	2,930	1,004	871	274
1955	5,986	36.61	...	591	5,395	3,150	1,046	911	288
1956	6,538	39.26	...	631	5,907	3,541	1,069	984	313
1957	7,440	43.87	...	668	6,772	4,212	1,136	1,082	342
1958	8,089	46.65	...	687	7,402	4,598	1,247	1,167	390
1959	8,689	49.26	...	725	7,964	4,957	1,409	1,207	391
1960	9,443	52.88	...	806	8,637	5,461	1,483	1,247	446
1961	10,114	55.51	...	821	9,293	5,963	1,602	1,266	462
1962	10,906	58.97	...	839	10,067	6,474	1,777	1,327	489
1963	11,885	63.34	...	1,012	10,873	6,993	1,919	1,416	545
1964	12,968	68.15	...	1,053	11,915	7,664	2,108	1,524	619
1965	14,174	73.57	...	1,102	13,072	8,351	2,436	1,630	655
1966	16,928	86.94	...	1,361	15,567	10,177	2,882	1,725	783
1967	19,056	96.94	...	1,585	17,471	11,845	2,897	1,861	868
1968	21,950	110.56	...	1,993	19,957	13,321	3,527	2,029	1,080
1969	24,779	123.56	...	2,135	22,644	14,858	4,402	2,109	1,275
1970	28,892	142.64	...	2,958	25,934	17,085	5,003	2,439	1,407
1971	32,640	158.39	...	3,258	29,382	19,292	5,760	2,507	1,823
1972	36,759	176.27	...	3,752	33,007	21,195	6,944	2,633	2,235
1973	40,822	193.81	...	4,280	36,542	23,316	7,532	2,953	2,741
1974	45,941	216.07	$ 341	4,804	40,796	27,107	7,029	3,211	3,449
1975	51,978	242.03	975	5,129	45,874	31,110	7,137	3,225	4,402
1976	57,858	266.79	1,180	5,674	51,004	34,084	8,307	3,241	5,372
1977	62,460	285.10	1,386	6,373	54,701	36,964	8,756	3,631	5,350
1978	67,287	303.87	1,472	6,819	58,996	40,125	8,586	3,821	6,464
1979	75,963	339.25	1,493	8,224	66,246	46,196	8,675	4,149	7,226
1980	84,504	374.06	1,746	8,644	74,114	52,688	9,242	4,383	7,801
1981	93,180	406.89	1,873	9,570	81,737	57,257	11,025	4,751	8,704
1982	98,743	426.78	1,793	10,044	86,906	60,684	11,965	5,028	9,229
1983	100,887	431.77	1,765	10,364	88,758	63,118	10,920	5,277	9,443
1984	108,373	459.46	1,722	10,745	95,906	67,485	11,923	5,687	10,811
1985	121,571	510.55	1,963	12,320	107,288	74,937	12,673	6,019	13,659
1986	131,966	548.78	2,106	13,384	116,476	81,929	14,215	6,470	13,862
1987	141,426	582.48	2,455	14,245	127,180	88,253	17,331	6,785	14,811
1988	151,662	618.55	2,653	14,897	136,765	95,391	17,665	6,949	16.760
1989	165,415	668.35	2,930	15,750	149,755	104,601	19,614	7,376	18,164
1990	175,096	705.74	3,244	16,565	158,529	109,251	21,770	7,784	19,724

Sources: U.S. Department of Commerce, Bureau of the Census, *State Payments to Local Governments (Census of Governments: 1982*, vol. 6, no. 3) and *State Government Finances.*

(a) Represents primarily state reimbursements for the supplemental security income program. This column also duplicates some funds listed under "Public welfare" and "All other" columns.

Table 9.3
STATE INTERGOVERNMENTAL EXPENDITURE, BY STATE: 1984 to 1990

State	Amount (in thousands)				Per capita amounts				Percentage change in per capita amounts		
	1990	1988	1986	1984	1990	1988	1986	1984	1988 to 1990	1986 to 1988	1984 to 1986
United States	$175,027,632	$151,661,866	$131,966,258	$108,373,188	$ 705.46	$ 618.55	$ 548.83	$ 460.11	14.1	12.7	19.3
Alabama	2,015,484	1,772,140	1,563,108	1,310,399	498.76	432.02	385.67	328.42	15.4	12.0	17.4
Alaska	909,183	794,294	863,981	1,183,094	1,653.06	1,515.83	1,617.94	2,366.19	9.1	−6.3	−31.6
Arizona	2,432,564	2,014,460	1,913,685	1,547,438	663.73	577.37	576.93	506.86	14.8	0.1	13.8
Arkansas	1,176,535	1,053,029	988,755	789,131	500.44	439.68	416.84	335.94	1.4	5.5	24.1
California	35,173,773	29,754,786	24,929,013	19,125,775	1,181.91	1,050.89	923.95	746.46	12.5	13.7	23.8
Colorado	1,816,163	1,601,393	1,459,018	1,522,105	551.35	485.12	446.59	478.95	13.7	8.6	−6.8
Connecticut	1,857,595	1,477,198	1,147,052	967,483	565.13	456.91	359.69	306.75	23.7	27.0	17.3
Delaware	358,518	317,800	254,127	218,833	538.32	481.52	401.46	356.99	11.8	19.9	12.5
Florida	7,204,813	6,500,752	5,198,824	3,561,701	556.87	527.02	445.30	324.50	5.7	18.4	37.2
Georgia	3,667,040	2,928,597	2,604,968	1,947,978	566.08	461.78	426.76	333.73	22.6	8.2	27.9
Hawaii	113,673	49,776	30,034	25,231	102.59	45.33	28.28	24.28	126.3	60.3	16.5
Idaho	584,926	489,765	399,356	408,686	580.86	488.30	398.16	408.28	19.0	22.6	−2.5
Illinois	5,856,022	5,274,272	4,797,568	3,910,634	512.29	454.13	415.27	339.73	12.8	9.4	22.2
Indiana	3,385,370	2,995,457	2,591,875	2,321,187	610.64	539.14	470.91	422.19	13.3	14.5	11.5
Iowa	1,946,027	1,802,094	1,457,094	1,321,682	700.77	635.88	511.08	454.19	10.2	24.4	12.5
Kansas	1,311,740	1,073,214	994,956	846,726	529.35	430.15	404.29	347.30	23.1	6.4	16.4
Kentucky	1,913,433	1,741,531	1,415,742	1,288,688	519.25	467.27	379.76	346.14	11.1	23.0	9.7
Louisiana	2,330,717	1,865,441	1,867,466	1,746,045	552.30	423.19	414.90	391.31	30.5	2.0	6.0
Maine	663,588	544,712	427,857	349,880	540.38	452.04	364.44	302.66	19.5	24.0	20.4
Maryland	2,288,000	2,233,494	1,854,629	1,635,537	478.56	483.23	415.56	376.07	−1.0	16.3	10.5
Massachusetts	4,649,241	4,127,655	3,325,747	2,617,378	772.81	700.91	570.26	451.43	10.3	22.9	26.3
Michigan	6,313,931	5,813,874	4,842,870	4,037,673	679.28	629.21	529.56	444.92	8.0	18.8	19.0
Minnesota	4,277,456	3,621,482	3,124,133	2,880,437	977.70	840.84	741.37	692.08	16.3	13.4	7.1
Mississippi	1,691,111	1,391,664	1,237,181	1,065,912	657.25	531.17	471.31	410.28	23.7	12.7	14.9
Missouri	2,561,392	2,303,781	1,915,955	1,589,484	500.57	448.12	378.20	317.39	11.7	18.5	19.2
Montana	419,878	308,044	319,790	293,193	525.50	382.66	390.46	355.82	37.3	−2.0	9.7
Nebraska	771,891	552,488	537,476	511,721	489.16	344.87	336.34	318.63	41.8	2.5	5.6
Nevada	949,281	725,283	590,225	487,427	789.75	688.12	612.90	535.05	14.8	12.3	14.6
New Hampshire	220,209	204,898	174,711	157,680	198.57	188.85	170.12	161.39	5.1	11.0	5.4
New Jersey	6,005,632	5,462,250	4,803,345	4,133,531	776.93	707.45	630.36	550.04	9.8	12.2	14.6
New Mexico	1,463,158	1,244,887	1,119,486	967,744	965.78	826.07	756.92	679.60	16.9	9.1	11.4
New York	19,443,872	16,767,678	15,182,153	12,262,857	1,080.82	936.27	854.27	691.45	15.4	9.6	23.5
North Carolina	5,084,636	4,066,203	3,402,507	2,722,596	767.03	626.63	537.44	441.62	22.4	16.6	21.7
North Dakota	369,588	365,329	399,352	412,386	578.38	547.72	588.15	601.15	5.6	−6.9	−2.2
Ohio	7,386,283	6,315,346	5,536,665	4,779,871	680.95	581.79	514.94	444.56	17.0	13.0	15.8
Oklahoma	1,636,573	1,447,844	1,478,351	1,284,809	520.21	446.59	447.31	389.57	16.5	−0.2	14.8
Oregon	1,479,025	1,201,765	1,105,928	993,012	520.42	434.32	409.91	371.36	19.8	6.0	10.4
Pennsylvania	6,921,300	6,119,723	5,364,037	4,703,507	582.50	509.93	451.18	395.22	14.2	13.0	14.2
Rhode Island	488,214	374,269	347,862	275,000	486.75	376.91	356.78	285.86	29.1	5.6	24.8
South Carolina	1,885,288	1,574,229	1,429,440	1,095,298	540.66	453.67	423.16	331.91	19.2	7.2	27.5
South Dakota	241,962	221,219	194,507	165,296	347.65	310.27	274.73	234.13	12.0	12.9	17.3
Tennessee	2,210,631	1,685,450	1,430,475	1,105,881	453.28	344.32	297.83	234.45	31.6	15.6	27.0
Texas	7,342,620	6,625,955	6,147,106	4,965,245	432.25	393.44	368.49	310.54	9.9	6.8	18.7
Utah	980,782	842,039	782,272	610,987	569.23	498.25	469.83	369.85	14.2	6.0	27.0
Vermont	265,368	213,223	158,962	135,974	471.35	382.81	293.83	256.55	23.1	30.3	14.5
Virginia	3,471,957	3,038,790	2,513,086	1,928,473	561.17	505.20	434.26	342.17	11.1	16.3	26.9
Washington	3,632,019	3,485,095	3,011,346	2,290,339	746.25	749.81	674.74	526.64	−0.5	11.1	28.1
West Virginia	959,756	870,197	855,734	702,912	535.28	463.86	445.93	360.10	15.4	4.0	23.8
Wisconsin	4,315,552	3,855,521	3,286,305	2,638,645	882.17	794.13	686.79	553.64	11.1	15.6	24.1
Wyoming	583,862	551,480	590,143	529,687	1,286.04	1,151.32	1,163.99	1,036.57	11.7	−1.1	12.3

Source: U.S. Bureau of the Census, *State Government Finances in 1990*; and previous annual reports.

Note: Includes payments to the federal government, primarily state reimbursements for the supplemental security income program.

Table 9.4
PER CAPITA STATE INTERGOVERNMENTAL EXPENDITURE, BY FUNCTION AND BY STATE: 1989

			Specified functions			
State	*Total*	*General local government support*	*Education*	*Public welfare*	*Highways*	*Miscellaneous and combined*
United States	$ 667.98	$ 63.60	$422.40	$ 79.21	$29.79	$ 72.99
Alabama	492.03	24.49	391.79	1.17	34.42	40.16
Alaska	1,602.07	158.75	948.43	123.23	70.76	300.91
Arizona	656.36	147.80	387.57	0.26	95.06	25.67
Arkansas	467.53	18.94	351.86	0.09	42.90	53.74
California	1,150.56	78.55	657.53	290.96	29.07	94.46
Colorado	505.41	6.92	336.65	82.64	49.59	29.62
Connecticut	523.95	67.57	378.51	16.58	9.23	52.07
Delaware	486.70	1.48	419.13	1.26	4.46	60.37
Florida	543.91	90.10	409.14	0.00	15.16	29.51
Georgia	513.12	2.50	446.87	0.00	7.12	56.63
Hawaii	55.88	38.08	0.00	5.67	0.10	12.03
Idaho	513.29	52.98	380.49	0.00	54.58	25.24
Illinois	478.07	56.98	316.85	12.58	32.61	59.04
Indiana	588.53	105.07	362.68	45.48	53.32	21.98
Iowa	684.56	59.83	481.90	9.27	82.65	50.91
Kansas	470.32	34.07	377.42	0.00	32.29	26.54
Kentucky	482.31	0.00	396.15	0.39	24.57	61.20
Louisiana	481.37	35.32	394.04	6.51	2.55	42.95
Maine	523.48	52.97	422.04	13.74	16.19	18.54
Maryland	490.20	39.88	273.89	0.01	65.13	111.29
Massachusetts	792.41	185.56	341.31	40.13	11.14	214.28
Michigan	647.98	108.70	328.35	31.72	68.54	110.66
Minnesota	932.56	158.18	514.52	118.88	56.47	84.52
Mississippi	582.81	82.96	430.71	1.60	36.40	31.15
Missouri	470.14	1.87	399.46	1.69	29.96	37.16
Montana	517.60	5.32	439.79	10.99	17.66	43.84
Nebraska	383.70	55.38	199.36	1.81	64.64	62.50
Nevada	739.50	260.41	423.24	5.54	29.66	20.65
New Hampshire	200.00	28.86	106.66	28.74	15.31	20.43
New Jersey	801.63	133.98	482.25	92.76	1.39	91.25
New Mexico	911.20	218.02	630.63	0.00	21.96	40.59
New York	993.19	63.70	467.35	303.51	11.98	146.65
North Carolina	719.23	48.63	549.43	38.53	13.83	68.80
North Dakota	561.26	63.42	379.61	24.83	63.36	30.05
Ohio	620.95	80.34	372.51	72.94	47.89	47.26
Oklahoma	487.33	4.42	379.78	1.67	54.24	47.22
Oregon	474.10	32.13	283.98	0.08	90.04	67.87
Pennsylvania	537.09	8.19	322.38	70.60	22.59	113.33
Rhode Island	426.51	51.75	330.44	28.05	0.86	15.41
South Carolina	482.13	59.36	389.48	1.89	4.28	27.12
South Dakota	325.24	71.04	205.84	0.88	21.03	26.46
Tennessee	423.67	44.12	241.92	60.48	44.32	32.83
Texas	421.97	2.55	383.78	0.00	0.71	34.93
Utah	519.09	0.00	450.27	1.99	26.18	40.65
Vermont	459.51	13.14	352.54	14.79	34.77	44.26
Virginia	528.48	5.55	360.68	53.14	23.18	85.93
Washington	711.85	16.26	559.35	31.44	43.78	61.02
West Virginia	460.04	7.28	440.39	0.00	0.00	12.37
Wisconsin	837.83	228.49	374.79	52.77	65.05	116.72
Wyoming	1,212.15	198.49	705.48	8.32	51.06	248.81

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1989.*

Note: Includes payments to the federal government, primarily state reimbursements for the supplemental security income program (under "Public welfare" column).

Table 9.5
PER CAPITA STATE INTERGOVERNMENTAL EXPENDITURE, BY FUNCTION AND BY STATE: 1990

State	Total	General local government support	Specified functions			
			Education	*Public welfare*	*Highways*	*Miscellaneous and combined*
United States	$ 705.46	$ 66.77	$441.10	$ 87.20	$31.38	$ 79.02
Alabama	498.76	24.84	389.26	1.13	36.91	46.63
Alaska	1,653.06	152.25	979.11	131.11	60.12	330.47
Arizona	663.73	150.75	388.91	0.00	93.57	30.50
Arkansas	500.44	19.10	389.35	0.14	42.37	49.49
California	1,181.91	80.21	631.21	316.62	30.51	123.37
Colorado	551.35	8.02	366.01	87.49	57.21	32.62
Connecticut	565.13	69.83	407.62	23.68	9.31	54.69
Delaware	538.32	0.00	456.65	1.10	4.50	76.06
Florida	556.87	97.96	414.49	0.02	14.71	29.69
Georgia	566.08	2.49	488.45	0.00	9.43	65.71
Hawaii	102.59	66.31	0.00	9.36	0.00	26.93
Idaho	580.86	59.27	432.18	0.00	62.24	27.17
Illinois	512.29	63.71	326.68	13.94	37.65	70.31
Indiana	610.64	104.19	376.96	47.34	59.25	22.89
Iowa	700.77	56.02	478.78	12.51	92.92	60.54
Kansas	529.35	34.23	421.64	0.00	39.68	33.81
Kentucky	519.25	0.00	424.27	1.68	25.61	67.70
Louisiana	552.30	37.83	456.78	7.03	6.10	44.56
Maine	540.38	52.01	440.28	14.31	15.94	17.85
Maryland	478.56	40.76	288.36	0.01	50.70	98.73
Massachusetts	772.81	182.35	338.21	38.83	11.67	201.75
Michigan	679.28	112.49	349.39	31.71	68.95	116.75
Minnesota	977.70	191.92	490.77	136.26	68.96	89.79
Mississippi	657.25	120.10	464.90	1.44	33.26	37.56
Missouri	500.57	1.44	427.39	1.80	31.23	38.70
Montana	525.50	8.14	430.25	11.34	17.80	57.97
Nebraska	489.16	125.28	228.24	2.31	67.95	65.38
Nevada	789.75	291.45	453.62	6.37	28.84	9.47
New Hampshire	198.57	28.42	103.00	35.57	14.84	16.74
New Jersey	776.93	110.01	482.29	101.62	0.45	82.55
New Mexico	965.78	239.21	671.88	0.00	24.65	30.05
New York	1,080.82	60.95	536.02	337.02	12.21	134.61
North Carolina	767.03	57.75	576.48	43.56	15.01	74.22
North Dakota	578.38	78.20	386.02	6.48	74.90	32.78
Ohio	680.95	89.86	403.08	82.80	54.05	51.16
Oklahoma	520.21	5.62	404.04	0.66	57.34	52.54
Oregon	520.42	39.04	315.13	0.00	97.79	68.46
Pennsylvania	582.50	8.46	350.84	77.53	22.67	123.00
Rhode Island	486.75	38.74	394.67	30.64	0.00	22.70
South Carolina	540.66	63.19	425.36	2.76	4.41	44.93
South Dakota	347.65	34.82	264.46	1.01	19.27	28.08
Tennessee	453.28	46.63	240.50	75.96	50.63	39.57
Texas	432.25	2.70	387.97	0.04	0.76	40.79
Utah	569.23	0.00	493.54	1.63	26.89	47.17
Vermont	471.35	19.93	370.73	15.82	37.64	27.22
Virginia	561.17	3.74	379.95	56.05	24.20	97.23
Washington	746.25	17.48	613.06	5.57	44.99	65.15
West Virginia	535.28	9.41	502.30	0.00	0.00	23.57
Wisconsin	882.17	230.51	399.64	58.49	64.08	129.44
Wyoming	1,286.04	237.84	802.16	9.03	59.67	177.34

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1990.*

Note: Includes payments to the federal government, primarily state reimbursements for the supplemental security income program (under "Public welfare" column).

Table 9.6
STATE INTERGOVERNMENTAL EXPENDITURE, BY FUNCTION AND BY STATE: 1989
(In thousands of dollars)

			Functions			
State	*Total*	*General local government support*	*Education*	*Public welfare*	*Highways*	*Miscellaneous and combined*
United States	$165,415,415	$15,749,681	$104,601,291	$19,614,348	$7,376,173	$18,073,922
Alabama	2,026,162	100,870	1,613,389	4,802	141,742	165,359
Alaska	844,290	83,659	499,823	64,943	37,288	158,577
Arizona	2,334,029	525,583	1,378,204	926	338,033	91,283
Arkansas	1,124,888	45,571	846,572	223	103,227	129,295
California	33,438,779	2,282,803	19,109,670	8,456,190	844,960	2,745,156
Colorado	1,676,445	22,943	1,116,683	274,102	164,478	98,239
Connecticut	1,697,074	218,844	1,225,990	53,693	29,891	168,656
Delaware	327,552	994	282,077	851	3,000	40,630
Florida	6,891,921	1,141,628	5,184,233	0	192,079	373,981
Georgia	3,302,468	16,120	2,876,074	0	45,813	364,461
Hawaii	62,141	42,348	0	6,300	114	13,379
Idaho	520,479	53,725	385,816	0	55,341	25,597
Illinois	5,573,284	664,262	3,693,852	146,634	380,190	688,346
Indiana	3,291,629	587,667	2,028,455	254,360	298,226	122,921
Iowa	1,944,146	169,912	1,368,597	26,330	234,726	144,581
Kansas	1,181,921	85,610	948,451	0	81,154	66,706
Kentucky	1,797,563	0	1,476,467	1,438	91,561	228,097
Louisiana	2,109,343	154,756	1,726,686	28,524	11,167	188,210
Maine	639,690	64,734	515,732	16,786	19,788	22,650
Maryland	2,301,003	187,185	1,285,658	41	305,730	522,389
Massachusetts	4,685,534	1,097,225	2,018,156	237,285	65,843	1,267,025
Michigan	6,008,702	1,008,015	3,044,792	294,116	635,611	1,026,168
Minnesota	4,059,439	688,537	2,239,709	517,468	245,793	367,932
Mississippi	1,527,556	217,438	1,128,898	4,187	95,396	81,637
Missouri	2,425,474	9,642	2,060,799	8,743	154,562	191,728
Montana	417,186	4,287	354,473	8,859	14,230	35,337
Nebraska	618,137	89,214	321,177	2,920	104,136	100,690
Nevada	821,583	289,319	470,219	6,155	32,952	22,938
New Hampshire	221,400	31,944	118,075	31,817	16,945	22,619
New Jersey	6,201,380	1,036,446	3,730,713	717,599	10,729	705,893
New Mexico	1,392,320	333,142	963,598	0	33,562	62,018
New York	17,827,704	1,143,352	8,389,015	5,447,924	215,002	2,632,411
North Carolina	4,726,059	319,580	3,610,307	253,185	90,908	452,079
North Dakota	370,434	41,856	250,540	16,385	41,819	19,834
Ohio	6,772,650	876,300	4,062,944	795,569	522,385	515,452
Oklahoma	1,571,165	14,250	1,224,419	5,386	174,865	152,245
Oregon	1,336,959	90,609	800,816	216	253,914	191,404
Pennsylvania	6,466,619	98,556	3,881,452	850,023	272,036	1,364,552
Rhode Island	425,660	51,643	329,781	27,997	857	15,382
South Carolina	1,693,256	208,479	1,367,844	6,647	15,043	95,243
South Dakota	232,549	50,791	147,177	627	15,036	18,918
Tennessee	2,092,913	217,936	1,195,107	298,747	218,933	162,190
Texas	7,169,758	43,356	6,520,835	8	12,072	593,487
Utah	886,089	0	768,616	3,397	44,688	69,388
Vermont	260,543	7,451	199,891	8,387	19,717	25,097
Virginia	3,222,642	33,818	2,199,409	324,072	141,358	523,985
Washington	3,389,124	77,414	2,663,080	149,695	208,424	290,511
West Virginia	854,299	13,528	817,795	0	0	22,976
Wisconsin	4,077,703	1,112,057	1,824,124	256,841	316,594	568,087
Wyoming	575,771	94,282	335,101	3,950	24,255	118,183

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1989.*

Note: Detail may not add to totals due to rounding.

Table 9.7
STATE INTERGOVERNMENTAL EXPENDITURE, BY FUNCTION AND BY STATE: 1990
(In thousands of dollars)

			Functions			
State	*Total*	*General local government support*	*Education*	*Public welfare*	*Highways*	*Miscellaneous and combined*
United States	$175,027,632	$16,565,106	$109,438,131	$21,635,018	$7,784,316	$19,605,061
Alabama	2,015,484	100,364	1,572,988	4,548	149,158	188,426
Alaska	909,183	83,738	538,509	72,113	33,064	181,759
Arizona	2,432,564	552,492	1,425,337	0	342,939	111,796
Arkansas	1,176,535	44,902	915,351	318	99,617	116,347
California	35,173,773	2,387,023	18,784,697	9,422,538	908,113	3,671,402
Colorado	1,816,163	26,419	1,205,646	288,204	188,458	107,436
Connecticut	1,857,595	229,536	1,339,851	77,845	30,612	179,751
Delaware	358,518	0	304,132	731	3,000	50,655
Florida	7,204,813	1,267,372	5,362,657	276	190,380	384,128
Georgia	3,667,040	16,117	3,164,161	0	61,073	425,689
Hawaii	113,673	73,472	0	10,367	0	29,834
Idaho	584,926	59,681	435,205	0	62,675	27,365
Illinois	5,856,022	728,314	3,734,316	159,392	430,331	803,669
Indiana	3,385,370	577,613	2,089,874	262,469	328,487	126,927
Iowa	1,946,027	155,557	1,329,572	34,745	258,031	168,122
Kansas	1,311,740	84,813	1,044,817	0	98,334	83,776
Kentucky	1,913,433	0	1,563,429	6,185	94,359	249,460
Louisiana	2,330,717	159,636	1,927,608	29,679	25,757	188,037
Maine	663,588	63,872	540,658	17,569	19,570	21,919
Maryland	2,288,000	194,888	1,378,629	38	242,407	472,038
Massachusetts	4,649,241	1,096,999	2,034,664	233,620	70,221	1,213,737
Michigan	6,313,931	1,045,588	3,247,554	294,716	640,923	1,085,150
Minnesota	4,277,456	839,651	2,147,136	596,138	301,690	392,841
Mississippi	1,691,111	309,014	1,196,185	3,694	85,568	96,650
Missouri	2,561,392	7,379	2,186,938	9,224	159,822	198,029
Montana	419,878	6,505	343,770	9,059	14,226	46,318
Nebraska	771,891	197,686	360,162	3,648	107,218	103,177
Nevada	949,281	350,325	545,250	7,653	34,669	11,384
New Hampshire	220,209	31,517	114,222	39,451	16,459	18,560
New Jersey	6,005,632	850,347	3,728,126	785,528	3,496	638,135
New Mexico	1,463,158	362,400	1,017,896	0	37,340	45,522
New York	19,443,872	1,096,559	9,643,056	6,062,923	219,647	2,421,687
North Carolina	5,084,636	382,853	3,821,496	288,764	99,502	492,021
North Dakota	369,588	49,971	246,666	4,141	47,861	20,949
Ohio	7,386,283	974,716	4,372,187	898,170	586,268	554,942
Oklahoma	1,636,573	17,672	1,271,114	2,089	180,392	165,306
Oregon	1,479,025	110,952	895,599	0	277,919	194,555
Pennsylvania	6,921,300	100,529	4,168,678	921,205	269,405	1,461,483
Rhode Island	488,214	38,859	395,858	30,730	0	22,767
South Carolina	1,885,288	220,353	1,483,240	9,633	15,389	156,673
South Dakota	241,962	24,236	184,063	703	13,414	19,546
Tennessee	2,210,631	227,394	1,172,901	370,466	246,907	192,963
Texas	7,342,620	45,842	6,590,468	597	12,840	692,873
Utah	980,782	0	850,367	2,804	46,339	81,272
Vermont	265,368	11,223	208,723	8,904	21,194	15,324
Virginia	3,471,957	23,109	2,350,779	346,793	149,698	601,578
Washington	3,632,019	85,099	2,983,765	27,123	218,964	317,068
West Virginia	959,756	16,875	900,619	0	0	42,262
Wisconsin	4,315,552	1,127,665	1,955,030	286,127	313,489	633,241
Wyoming	583,862	107,979	364,182	4,098	27,091	80,512

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1990.*

Note: Detail may not add to totals due to rounding.

Table 9.8
STATE INTERGOVERNMENTAL EXPENDITURE, BY TYPE OF RECEIVING GOVERNMENT AND BY STATE: 1989
(In thousands of dollars)

		Type of receiving government				
State	*Total intergovernmental expenditure*	*Federal*	*School districts*	*Counties, municipalities, and townships*	*Special districts*	*Combined and unallocable*
United States	$165,415,415	$2,929,622	$86,102,535	$67,889,237	$1,552,625	$6,941,396
Alabama	2,026,162	0	1,613,389	410,606	0	2,167
Alaska	844,290	64,943	0	721,556	0	57,791
Arizona	2,334,029	926	1,378,204	937,032	0	17,867
Arkansas	1,124,888	57	846,572	224,803	8,042	45,414
California	33,438,779	1,981,175	17,936,358	13,178,337	142,866	200,043
Colorado	1,676,445	392	1,116,569	536,384	19,591	3,509
Connecticut	1,697,074	0	25,203	1,488,712	568	182,591
Delaware	327,552	792	281,265	45,495	0	0
Florida	6,891,921	0	5,183,325	1,431,576	48,356	228,664
Georgia	3,302,468	0	2,876,074	374,549	15,354	36,491
Hawaii	62,141	6,300	0	46,278	0	9,563
Idaho	520,479	1,079	385,762	83,851	1,406	48,381
Illinois	5,573,284	2,423	3,693,852	1,358,086	299,205	219,718
Indiana	3,291,629	20,296	2,028,455	687,019	5,246	550,613
Iowa	1,944,146	13,353	1,368,597	470,260	0	91,936
Kansas	1,181,921	244	948,451	199,102	2,912	31,212
Kentucky	1,797,563	0	1,475,382	296,442	0	25,739
Louisiana	2,109,343	753	1,723,781	355,611	0	29,198
Maine	639,690	10,935	0	9,867	0	618,888
Maryland	2,301,003	41	0	2,282,341	0	18,621
Massachusetts	4,685,534	130,847	294,655	3,200,413	463,970	595,649
Michigan	6,008,702	68,083	3,044,792	2,798,082	2,584	95,161
Minnesota	4,059,439	0	2,239,709	1,701,079	984	117,667
Mississippi	1,527,556	135	1,127,502	399,919	0	0
Missouri	2,425,474	0	2,060,799	211,581	5,912	147,182
Montana	417,186	839	353,247	60,894	0	2,206
Nebraska	618,137	2,920	314,888	162,853	13,641	123,835
Nevada	821,583	2,994	470,219	332,315	9,334	6,721
New Hampshire	221,400	0	20,151	96,779	608	103,862
New Jersey	6,201,380	53,649	2,746,930	2,234,118	1,031	1,165,652
New Mexico	1,392,320	0	963,598	423,589	0	5,133
New York	17,827,704	355,877	4,793,350	12,653,821	13,788	10,868
North Carolina	4,726,059	0	0	4,665,375	31,015	29,669
North Dakota	370,434	0	250,502	119,158	590	184
Ohio	6,772,650	0	3,970,854	1,798,905	10,130	992,761
Oklahoma	1,571,165	901	1,224,419	214,960	3,653	127,232
Oregon	1,336,959	0	800,816	510,015	14,019	12,109
Pennsylvania	6,466,619	76,015	3,880,046	2,091,968	308,681	109,909
Rhode Island	425,660	10,811	28,431	379,687	0	6,731
South Carolina	1,693,256	0	1,367,844	320,781	1,252	3,379
South Dakota	232,549	23	147,177	76,027	1,065	8,257
Tennessee	2,092,913	0	7,037	2,072,546	3,107	10,223
Texas	7,169,758	0	6,520,800	296,591	3,025	349,342
Utah	886,089	2,990	768,616	108,807	0	5,676
Vermont	260,543	8,387	199,891	50,235	2,030	0
Virginia	3,222,642	0	0	3,210,222	12,420	0
Washington	3,389,124	17,757	2,649,704	571,485	106,215	43,963
West Virginia	854,299	0	817,359	19,558	0	17,382
Wisconsin	4,077,703	93,626	1,824,124	1,739,189	25	420,739
Wyoming	575,771	59	333,836	230,378	0	11,498

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1989.*

Note: Detail may not add to totals due to rounding.

Table 9.9
STATE INTERGOVERNMENTAL EXPENDITURE, BY TYPE OF RECEIVING GOVERNMENT AND BY STATE: 1990
(In thousands of dollars)

		Type of receiving government				
State	*Total intergovernmental expenditure*	*Federal*	*School districts*	*Counties, municipalities, and townships*	*Special districts*	*Combined and unallocable*
United States	$175,027,632	$3,243,634	$89,859,322	$73,042,758	$1,510,479	$7,371,439
Alabama	2,015,484	0	1,572,988	440,259	0	2,237
Alaska	909,183	72,113	0	767,946	0	69,124
Arizona	2,432,564	0	1,425,337	983,029	0	24,198
Arkansas	1,176,535	247	915,351	212,678	1,558	46,701
California	35,173,773	2,219,796	17,929,427	14,563,706	113,808	347,036
Colorado	1,816,163	1,735	1,205,507	579,921	25,371	3,629
Connecticut	1,857,595	0	25,372	1,684,054	199	147,970
Delaware	358,518	731	303,991	53,796	0	0
Florida	7,204,813	0	5,362,657	1,553,037	39,944	249,175
Georgia	3,667,040	0	3,163,524	471,335	15,253	16,928
Hawaii	113,673	10,367	0	88,553	0	14,753
Idaho	584,926	1,198	435,159	91,460	2,975	54,134
Illinois	5,856,022	2,441	3,734,316	1,490,192	345,740	283,333
Indiana	3,385,370	23,913	2,089,874	701,974	3,816	565,793
Iowa	1,946,027	16,873	1,329,572	495,365	0	104,217
Kansas	1,311,740	0	1,044,817	229,439	4,142	33,342
Kentucky	1,913,433	0	1,561,569	315,880	0	35,984
Louisiana	2,330,717	1	1,923,925	375,664	436	30,691
Maine	663,588	7,108	0	14,549	0	641,931
Maryland	2,288,000	38	0	2,264,279	0	23,683
Massachusetts	4,649,241	130,558	297,048	3,212,047	483,176	526,412
Michigan	6,313,931	70,434	3,247,554	2,819,825	2,011	174,107
Minnesota	4,277,456	0	2,147,105	2,004,616	235	125,500
Mississippi	1,691,111	0	1,192,641	482,244	0	16,226
Missouri	2,561,392	0	2,186,938	214,051	6,297	154,106
Montana	419,878	654	342,570	74,458	0	2,196
Nebraska	771,891	3,648	354,742	137,391	11,816	264,294
Nevada	949,281	3,295	545,250	397,069	2,026	1,641
New Hampshire	220,209	0	20,794	103,162	587	95,666
New Jersey	6,005,632	65,640	2,828,835	2,122,839	206	988,112
New Mexico	1,463,158	0	1,017,896	439,420	0	5,842
New York	19,443,872	394,500	5,251,626	13,769,236	16,334	12,176
North Carolina	5,084,636	0	0	5,072,165	0	12,471
North Dakota	369,588	0	246,607	121,461	967	553
Ohio	7,386,283	0	4,271,037	2,026,845	5,532	1,082,869
Oklahoma	1,636,573	240	1,271,112	268,819	4,002	92,400
Oregon	1,479,025	0	895,599	571,361	1,754	10,311
Pennsylvania	6,921,300	78,645	4,167,375	2,277,270	275,245	122,765
Rhode Island	488,214	11,618	34,498	434,851	0	7,247
South Carolina	1,885,288	0	1,483,240	397,122	1,477	3,449
South Dakota	241,962	22	184,062	48,396	1,724	7,758
Tennessee	2,210,631	0	16,946	2,173,311	8,924	11,450
Texas	7,342,620	0	6,589,912	379,232	4,217	369,259
Utah	980,782	1,535	850,367	122,919	0	5,961
Vermont	265,368	8,904	208 723	46,802	939	0
Virginia	3,471,957	0	0	3,428,785	13,150	30,022
Washington	3,632,019	18,277	2,964,995	495,813	116,591	36,343
West Virginia	959,756	0	900,619	42,315	0	16,822
Wisconsin	4 315,552	99,059	1,955,030	1,774,793	27	486,643
Wyoming	583,862	44	362,815	207,024	0	13,979

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1990.*

Note: Detail may not add to totals due to rounding.

Table 9.10
STATE INTERGOVERNMENTAL REVENUE FROM FEDERAL AND LOCAL GOVERNMENTS: 1989
(In thousands of dollars)

		From federal government					From local government				
State	Total intergovernmental revenue	Total (a)	Education	Public welfare	Health & hospitals	Highways	Total (a)	Education	Public welfare	Health & hospitals	Highways
United States	$115,765,232	$108,235,243	$19,546,821	$51,933,705	$4,768,738	$14,404,168	$7,529,989	$548,340	$2,604,658	$828,396	$673,079
Alabama	1,816,961	1,764,951	513,178	582,096	69,049	307,115	52,010	8,888	145	19,381	12,237
Alaska	607,297	602,196	99,512	147,087	11,790	153,371	5,101	3,733	0	134	731
Arizona	1,192,246	1,033,516	297,944	344,178	47,603	193,158	158,730	4,721	75,126	64,375	69
Arkansas	1,031,261	1,026,213	171,914	549,429	43,456	122,172	5,048	988	0	757	2,042
California	14,774,851	14,350,834	2,495,922	6,624,046	373,043	1,404,550	424,017	42,320	555	26,866	276,227
Colorado	1,285,584	1,262,235	314,189	431,653	78,392	214,312	23,349	11,730	29	33	9,613
Connecticut	1,667,599	1,583,969	205,240	658,354	150,997	376,667	83,630	32	0	0	22,501
Delaware	312,758	310,148	68,084	89,705	17,841	51,034	2,610	2,583	0	1	0
Florida	3,626,033	3,546,388	796,636	1,444,514	252,660	603,914	79,645	868	1,008	41,482	17,421
Georgia	2,705,736	2,671,297	561,269	1,250,872	143,799	369,975	34,439	17,675	190	0	3,724
Hawaii	508,993	503,761	129,123	211,210	27,616	57,810	5,232	198	0	0	0
Idaho	488,690	471,864	69,628	132,993	24,707	123,554	16,826	542	3,374	8,833	3,069
Illinois	4,287,980	4,205,648	870,968	1,895,198	171,551	557,201	82,332	18,698	15,796	0	39,358
Indiana	2,111,652	2,029,215	392,009	990,196	121,628	271,902	82,437	1,225	53,165	227	16,821
Iowa	1,292,582	1,225,674	253,590	480,232	109,594	217,262	66,908	76	13,814	45,430	5,062
Kansas	894,014	880,245	211,503	301,761	53,146	152,515	13,769	2,769	0	0	11,000
Kentucky	1,722,779	1,710,939	305,496	845,276	68,055	196,026	11,840	5,851	0	0	3
Louisiana	2,109,462	2,093,236	383,172	1,040,404	131,642	272,491	16,226	2,506	0	6,601	0
Maine	671,238	669,241	90,129	369,627	32,467	63,428	1,997	151	0	0	706
Maryland	1,988,352	1,910,152	356,118	757,334	86,958	460,770	78,200	2,135	55,845	76	1,686
Massachusetts	3,204,153	2,958,852	391,402	1,711,996	83,966	241,289	245,301	8,056	0	1,877	723
Michigan	4,737,299	4,229,795	816,397	2,395,315	186,424	346,971	507,504	7,756	50,898	380,742	25,401
Minnesota	2,186,427	2,083,799	385,082	1,027,858	78,167	299,278	102,628	1,175	68,696	14,327	13,540
Mississippi	1,323,980	1,300,563	317,362	565,926	65,573	134,975	23,417	3,213	1,493	0	0
Missouri	1,635,406	1,622,590	283,585	786,007	85,627	246,323	12,816	233	9	131	4,977
Montana	536,424	521,976	75,052	188,894	25,407	105,599	14,448	928	12,201	0	856
Nebraska	638,026	620,945	117,141	261,487	27,194	123,464	17,081	2,351	2,746	2,290	8,737
Nevada	345,075	335,539	76,728	97,174	19,247	49,594	9,536	734	2,552	507	1,572
New Hampshire	397,981	352,767	68,595	136,679	10,295	54,119	45,214	1,437	35,752	43	3,811
New Jersey	3,468,749	3,327,453	447,785	1,596,811	150,178	441,430	141,296	17,386	25,318	71,621	12,308
New Mexico	794,683	755,622	216,852	269,720	32,475	143,207	39,061	15,776	441	21,706	1,138
New York	15,780,721	11,753,932	1,097,222	8,362,395	282,201	642,416	4,026,789	120,554	1,978,461	601	0
North Carolina	2,711,089	2,499,804	522,236	1,114,985	107,785	467,164	211,285	5,715	172,556	901	13,377
North Dakota	458,367	438,142	86,266	170,834	14,719	80,807	20,225	704	8,070	0	9,510
Ohio	4,415,097	4,219,482	628,355	2,315,380	225,872	469,069	195,615	23,843	0	51,189	24,801
Oklahoma	1,469,633	1,439,050	248,100	645,670	55,257	285,854	30,583	10,259	0	874	6,780
Oregon	1,521,754	1,483,155	270,613	502,534	142,387	157,519	38,599	5,408	16,645	0	14,576
Pennsylvania	5,041,982	4,981,545	751,999	2,604,853	191,528	821,579	60,437	53,606	0	0	4,342
Rhode Island	665,298	611,420	76,609	306,693	24,301	111,412	53,878	481	0	0	1,543
South Carolina	1,541,585	1,469,610	319,107	665,444	81,394	190,900	71,975	14,560	6,274	7,230	298

See footnotes at end of table.

STATE INTERGOVERNMENTAL REVENUE FROM FEDERAL AND LOCAL GOVERNMENTS: 1989—Continued

State	Total intergovernmental revenue	From federal government					From local government				
		Total (a)	Education	Public welfare	Health & hospitals	Highways	Total (a)	Education	Public welfare	Health & hospitals	Highways
South Dakota	433,050	426,842	60,022	150,277	19,535	106,676	6,208	193	2,204	2,182	1,089
Tennessee	2,278,672	2,246,378	391,817	1,076,646	90,392	262,618	32,294	9,432	207	7,185	5,297
Texas	5,639,279	5,600,644	1,431,232	2,130,924	256,759	1,002,804	38,635	24,702	0	4,441	6,625
Utah	945,896	915,001	230,613	273,281	51,334	211,270	30,895	25,012	1,088	0	0
Vermont	383,137	377,790	64,274	170,160	20,423	56,802	5,347	5,314	0	33	0
Virginia	2,224,392	2,061,218	481,503	760,483	107,639	371,203	163,174	14,414	0	44,875	62,944
Washington	2,240,798	2,185,024	488,462	830,967	184,041	393,971	55,774	27,922	0	0	3,831
West Virginia	832,648	826,917	136,774	375,676	37,725	119,601	5,731	1,200	0	0	0
Wisconsin	2,310,078	2,251,651	441,099	1,225,285	75,139	224,643	58,427	3,542	0	160	18,985
Wyoming	507,485	486,015	38,913	67,186	19,760	72,384	21,470	14,745	0	1,285	3,748

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1989.*
Note: Detail may not add to totals due to rounding.

(a) Total includes revenue for other activities not shown separately in this table.

Table 9.11
STATE INTERGOVERNMENTAL REVENUE FROM FEDERAL AND LOCAL GOVERNMENTS: 1990
(In thousands of dollars)

State	Total intergovernmental revenue	From federal government					From local government				
		Total (a)	Education	Public welfare	Health & hospitals	Highways	Total (a)	Education	Public welfare	Health & hospitals	Highways
United States	$126,328,829	$118,352,725	$21,270,712	$59,396,668	$5,474,863	$13,930,985	$7,976,104	$578,504	$3,028,105	$791,716	$633,216
Alabama	2,085,421	2,060,142	550,718	793,504	63,850	314,006	25,279	6,249	139	0	8,426
Alaska	627,665	622,581	134,405	158,246	16,945	144,628	5,084	2,906	0	170	0
Arizona	1,539,663	1,292,634	339,626	537,936	57,190	184,921	247,029	5,013	155,051	63,085	9,042
Arkansas	1,147,771	1,142,632	173,523	648,344	44,939	114,680	5,139	345	0	682	3,203
California	16,378,132	16,051,093	2,750,729	7,513,798	481,059	1,692,770	327,039	47,446	488	29,186	162,753
Colorado	1,392,111	1,361,971	341,928	494,988	91,538	224,002	30,140	21,225	25	34	6,283
Connecticut	1,757,015	1,753,168	202,786	813,280	126,426	412,654	3,847	240	0	0	0
Delaware	320,774	306,802	69,979	98,345	18,915	36,900	13,972	2,486	0	0	0
Florida	4,154,239	3,998,886	883,228	1,813,108	294,474	490,967	155,353	4,421	71,724	46,479	13,798
Georgia	2,932,376	2,876,781	619,810	1,417,919	167,749	328,825	55,595	14,423	0	2	25,392
Hawaii	614,925	610,424	140,491	229,823	31,435	116,344	4,501	151	0	0	0
Idaho	509,021	493,630	86,593	156,141	28,152	110,701	15,391	484	3,059	8,837	1,795
Illinois	4,592,032	4,489,498	887,468	2,119,445	212,002	555,946	102,534	20,803	20,472	44	49,177
Indiana	2,330,539	2,255,261	437,916	1,154,733	122,808	317,709	75,278	1,435	46,476	305	15,537
Iowa	1,359,404	1,290,794	277,855	536,584	124,959	188,378	68,610	325	20,208	41,880	2,499
Kansas	975,763	958,282	224,936	363,291	55,361	156,185	17,481	3,104	0	0	14,377
Kentucky	1,806,531	1,794,233	337,286	978,031	73,023	164,350	12,298	5,906	0	0	13
Louisiana	2,415,119	2,399,015	436,124	1,224,945	140,416	287,366	16,104	2,718	0	6,520	0
Maine	696,281	691,385	94,275	430,166	29,278	59,578	4,896	456	0	0	3,711
Maryland	2,188,240	2,095,422	406,796	910,122	100,917	358,593	92,818	5,496	42,989	811	6,627
Massachusetts	3,599,706	3,306,591	407,595	2,233,665	98,753	161,228	293,115	7,098	0	3,736	776
Michigan	4,687,802	4,180,674	806,788	2,286,147	188,628	349,722	507,128	9,872	5,439	405,072	40,292
Minnesota	2,390,613	2,273,674	429,831	1,125,314	95,260	296,771	116,939	4,243	76,252	10,011	21,840
Mississippi	1,504,793	1,491,721	355,362	721,124	72,942	119,706	13,072	3,516	503	6,691	469
Missouri	1,819,590	1,804,226	305,415	886,456	119,752	254,198	15,364	338	8	114	7,597
Montana	562,618	547,571	69,796	226,714	25,968	98,272	15,047	809	11,590	0	2,172
Nebraska	697,920	681,411	130,043	304,572	32,115	125,288	16,509	2,671	3,098	2,131	7,786
Nevada	380,669	365,993	71,978	114,226	21,741	72,113	14,676	1,043	4,125	352	3,685
New Hampshire	430,142	373,603	65,806	152,115	13,638	53,215	56,539	1,428	42,222	44	7,901
New Jersey	3,785,608	3,644,323	531,344	1,790,081	184,624	377,791	141,285	29,408	27,064	26,649	17,325
New Mexico	837,266	779,486	220,028	297,658	54,573	107,815	57,780	33,663	436	23,331	350
New York	17,136,255	12,902,385	1,286,631	9,146,706	345,223	617,066	4,233,870	95,889	2,240,028	120	0
North Carolina	2,888,432	2,648,279	577,357	1,270,768	114,118	340,177	240,153	6,081	203,106	1,497	11,264
North Dakota	462,270	443,436	82,217	177,394	14,482	81,557	18,834	479	8,703	0	6,904
Ohio	4,983,964	4,767,298	673,112	2,850,281	229,498	415,166	216,666	19,794	0	50,076	29,422
Oklahoma	1,386,656	1,345,219	257,855	703,978	63,994	161,809	41,437	9,332	0	942	6,129
Oregon	1,667,471	1,637,681	293,323	571,228	157,738	140,927	29,790	5,930	11,946	0	9,197
Pennsylvania	5,333,518	5,268,530	802,731	2,722,596	292,641	835,796	64,988	55,393	0	0	6,994
Rhode Island	710,809	667,218	80,486	340,945	28,197	130,026	43,591	229	0	0	1,824
South Carolina	1,818,158	1,728,124	320,189	815,231	93,185	154,000	90,034	14,752	27,808	2,852	343

See footnotes at end of table.

STATE INTERGOVERNMENTAL REVENUE FROM FEDERAL AND LOCAL GOVERNMENTS: 1990—Continued

State	Total intergovernmental revenue	From federal government					From local government				
		Total (a)	Education	Public welfare	Health & hospitals	Highways	Total (a)	Education	Public welfare	Health & hospitals	Highways
South Dakota	457,400	450,866	60,812	162,313	23,935	102,547	6,534	108	2,748	2,152	748
Tennessee	2,520,103	2,478,513	416,059	1,273,431	98,625	290,164	41,590	9,971	206	7,129	13,028
Texas	6,535,438	6,499,293	1,521,155	2,780,647	297,690	1,075,606	36,145	27,971	0	3,899	846
Utah	1,002,463	966,344	267,542	340,904	51,941	157,639	36,119	28,617	2,192	72	0
Vermont	393,911	393,572	71,981	189,028	17,513	51,061	339	319	0	20	0
Virginia	2,290,478	2,105,108	534,657	839,486	125,196	310,371	185,370	18,117	0	44,618	78,105
Washington	2,301,561	2,245,605	539,466	884,392	187,870	357,378	55,956	27,918	0	0	2,441
West Virginia	948,277	941,961	184,598	451,578	42,185	115,239	6,316	1,522	0	0	0
Wisconsin	2,445,551	2,365,079	469,965	1,275,471	81,043	229,143	80,472	3,431	0	253	28,749
Wyoming	526,365	504,307	40,118	69,470	20,359	89,691	22,058	12,930	0	1,920	4,396

Source: U.S. Department of Commerce, Bureau of the Census, *State Government Finances: 1990.*
Note: Detail may not add to totals due to rounding.

(a) Total includes revenue for other activities not shown separately in this table.

INTERSTATE COMPACTS AND AGREEMENTS

By Benjamin J. Jones

The world is turning increasingly toward regional mechanisms and agreements to solve problems that cross national boundaries and to benefit from working together. Examples include the European Community and its agreements for close relations in the movement of goods, services, people and capital among member nations; similar, if more limited arrangements between the United States and Canada; and the Association of South East Asian Nations. Several other, less far-reaching agreements among nations also exist.

Therefore, it is even more striking that more than 200 years ago, the authors of the U.S. Constitution recognized the importance of *regional* solutions to common problems.

The resulting Compact Clause, embodied in Article I, Section 10, provides: "No State shall, without the consent of Congress . . . enter into any Agreement or Compact with another State, or with a Foreign Power." Although in this century compacts have been used frequently by states to address national problems and have been open to jointure by all states, their essential nature is that of an approach to problems most appropriately solved on a *regional* level.

This essay neither presents a legal analysis of compact law and practice, nor attempts to inventory existing agreements and their functions. Both are available from other sources. Rather, its purpose is to review significant developments in the area of interstate compacts since the 1990-91 edition of *The Book of the States* and to note some possible new agreements.

Developments in the Law of Compacts

As constitutionally unique legal entities, the law relating to compacts (principally U.S. Supreme Court rulings) has been critical to their understanding and use. Yet no major U.S. Supreme Court case relating to the increasingly innovative use of such agreements has been decided since *Multistate Tax Commission* in 1979 (434 U.S. 452). However, cases pending could make 1992 a year in which compacts and their use will be affected significantly by Court decisions.

Quill Corporation v. North Dakota

The case of *Quill Corporation v. North Dakota* (No. 91-194, brief filed Dec. 26, 1991) is one example. As noted in *The Book of the States 1990-91*, during the 1980s a number of states and compacts fought to apply sales and use taxes to out-of-state mail order purchases made by their residents. These efforts were in response to the U.S. Supreme Court decision in *National Bellas Hess, Inc. v. Department of Revenue* (386 U.S. 753, 1967), which sharply limited the states' ability to tax such mail order sales on the basis of the U.S. Constitution's Commerce Clause. In *Bellas Hess*, the Court held that the retailer must have some in-state "physical presence" for the state to collect use tax.

Yet pending in the *Quill* case is final review of whether states may tax such sales, absent an interstate compact. Should the Court decide to allow such taxation without benefit of a compact, then the agreements decided upon and underway perhaps would be unnecessary. However, if the Court should decide to continue applying restrictions to state taxation of mail order sales, then the ruling will be closely examined to determine whether some or all compacts implementing such taxation can survive whatever test is established by the decision.

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New York v. United States

With the enactment in 1980 of the Low-Level Radioactive Waste Policy Act and its subsequent amendment in 1985, Congress mandated that states assume total responsibility for providing means of disposal for commercial low-level radioactive waste. A major portion of the policy encourages states to develop solutions to the disposal problem through regional compacts. By such means, states may band together to provide a single new disposal site for the exclusive use of the states in the compact. The legislation requires congressional consent to each compact, with the further provision that the three states having disposal sites (Nevada, South Carolina and Washington) may, after Jan. 1, 1993, exclude from their sites low-level waste generated outside their boundaries. Since passage of this legislation, 42 states have formed nine compacts under the act; eight states (Maine, Massachusetts, Michigan, New Hampshire, New York, Rhode Island, Texas and Vermont) and the District of Columbia and Puerto Rico are unaffiliated.

An additional legislative provision, intended to serve as a mechanism to force states into compliance, has contributed to its status before the U.S. Supreme Court for a determination of its constitutionality. The provision is that if, on Jan. 1, 1996, a state has not established a disposal site or joined in a regional compact to use a site in another state, then the state must take title and actual possession of the waste generated within its borders. In addition, the state becomes "liable for all damages directly or indirectly" resulting from the existence of the waste. In a case before the Court, *New York v. United States* (No. 91-543), New York has challenged that provision on Tenth Amendment grounds (and other provisions on other grounds).

If the act is upheld by the Court, then there should be no implications for existing interstate compacts created under the act. However, should the act be invalidated in full by the Court, then almost certainly existing compacts will be invalidated and new congressional action will be required to re-establish a scheme for national disposal of the waste. If portions of the act are invalidated, then the Court's holding will have to be scrutinized to determine its effect on these agreements.

New Compacts and Agreements

Interstate Compact for Modular Buildings

In 1985, the National Conference of States on Building Codes and Standards began working with the states and industry to reduce and eventually eliminate the difficulties resulting from 36 states having separate codes, rules, regulations and procedures governing modular housing and other buildings. Varying requirements created obvious difficulties for modular building manufacturers and inhibited the industry's growth. In addition, some argued the system of varying codes and requirements would be a barrier under international trading agreements and could result in retaliatory barriers imposed by the European Community or other world trading partners. These concerns served as the impetus for the National Conference of States on Uniform Building Codes and Standards, in conjunction with The Council of State Governments, other interstate organizations, manufacturers and consumers, to begin developing a compact on the subject.

The resulting Interstate Compact on Industrialized/Modular Buildings is designed to streamline the regulation of and increase commerce in modular buildings. By joining the compact, states can coordinate their regulation of modular buildings and eliminate duplicative plan review, inspections and other regulatory requirements. The compact also is designed to simplify the production and sale of such buildings and facilitate U.S. modular building producers' shipment of their products into the European Community and elsewhere.

One interesting provision of the compact is its funding mechanism. Operating costs will be paid for by the sale of labels affixed to residential and commercial units sold under the compact, which in effect will advertise the unit's compatibility with the uniform regulatory system developed under the agreement.

With the 1992 enactments by Minnesota, New Jersey and Rhode Island, the compact's terms activated its commission and the compact officially came into existence.

Northeast Mississippi-Northwest Alabama Railroad Authority Compact

The purpose of this compact is to create an authority to promote and develop commerce, industry and employment opportunities in Mississippi and Alabama by encouraging private interests to operate a railroad on existing lines between the two states.

When it appeared that rail service would not be provided on an abandoned line between the two states, they joined to create an authority that would take possession of the line and seek a private company to provide rail service.

Compact for the Supervision of Parolees and Probationers

Developments over the last few years relating to the Compact for the Supervision of Parolees and Probationers have increased significantly the uniformity and usefulness of this already important interstate agreement. For more than 50 years, the compact has provided the sole statutory authority for allowing and regulating the transfer of adult parole and probation supervision across state boundaries. All 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands are statutory signatories to the agreement.

The compact has two primary goals — community protection and the offender's rehabilitation. Community protection is facilitated by regulating the offender's interstate movements, monitoring the offender's community adjustment in the receiving state, and removing the parolee or probationer from the receiving state if parole or probation violation occurs. Reintegration of the offender and rehabilitative efforts are assisted by ensuring parole and probation supervision program continuity across state borders.

As long ago as 1984, the members of the Parole and Probation Compact Administrators Association recognized that the interstate system had become noticeably more complex with vastly increased caseloads, new treatment and sentencing options, and significant differences in how states were interpreting the compact and its policies. Moreover, compact operational policies lacked procedural provisions for offender emergency travel prior to formal acceptance by receiving states. Parolees and probationers increasingly were in the communities of receiving states without any supervision or control.

Realizing that such difficulties were threatening the system's viability, the Parole and Probation Compact Administrators Association began efforts that resulted in the creation of a National Commission to Restructure the Interstate Compact Governing the Control of Probationers and Parolees. The commission obtained federal funding, and was provided staffing and support from The Council of State Governments.

Since the compact contained a rare provision authorizing the compact administrators, acting jointly, to establish interstate administrative rules governing their operations, the commission could make detailed recommendations to the Parole and Probation Compact Administrators Association for rules to govern the agreement's operation. After a study of the system's problems, the commission began work on a series of standards, rules, forms and legislation for eventual endorsement by the association. Such a system of detailed rules and regulations, along with operating standards for the compact and recommended legislation, have been issued by the association through The Council of State Governments. The rules exemplify the viability of the compact process and interstate cooperation, and rule making by a compact entity to ensure effective solutions to interstate problems.

Interstate compacts have retained their viability as devices for interstate solutions to public policy problems, and are used increasingly as innovative approaches to meeting the challenges of the federal and state governments. There is reason to believe these agreements will continue as strong forces for interstate cooperation, regional solutions to interstate problems, and vitally important tools of state government.

THE COUNCIL OF STATE GOVERNMENTS

The Council of State Governments (CSG) is the pioneer state leadership association with nearly 60 years of experience in showcasing innovative state and regional actions; building partnerships within government and among governmental entities; promoting multistate compacts and cooperative ventures; establishing vital links with the private sector; and shaping strategies to anticipate and meet future governance needs.

The Council is a service organization whose goal is to foster excellence in all facets of state government. Founded on the premise that the states themselves are the best sources of insight, ideas and innovations, CSG provides a network for exploring new ideas, establishing useful partnerships and disseminating timely information to state policy makers. Through leadership development activities, such as the Toll Fellows Program, the Council strengthens the institution of state government, giving present and future leaders the skills needed for effective governance. CSG also provides vital professional support to numerous associations of state officials, bringing these groups together under a single umbrella to share programmatic and policy ideas.

A non-profit, non-partisan service organization, CSG is the only regionally-based national association that serves the executive, legislative and judicial branches of state government. Through its national headquarters in Lexington, Ky., and regional offices in Atlanta, Chicago, New York City and San Francisco, the Council works to synthesize the complex political, cultural, geographic and philosophical differences inherent in our federal system into cohesive and constructive regional and national approaches. During this final decade of the twentieth century, the responsibilities and challenges confronting the nation will dictate the role CSG plays in helping to improve decision-making at the state level.

Governing Structure

Each state has an equal voice in directing CSG activities through representation on the governing board. The board includes all of the nation's governors and two legislators from each state and other U.S. jurisdictions. Members of the board also include representatives from the national organizations of lieutenant governors, secretaries of state, treasurers, attorneys general, chief justices, licensure and regulation officials, and state auditors, comptrollers and treasurers. An annual governing board meeting allows the diverse members of the CSG family to interact in sessions on current and emerging state issues.

From this governing board of approximately 175 state officials, an executive committee is selected to manage CSG's day-to-day activities. State officials also serve on several national committees that advise the executive committee — annual meeting, budget, intergovernmental affairs, organizational planning and coordinating, and suggested state legislation — and on issues task forces on the environment, health and international affairs.

The Council is funded in part through direct contributions by the states and other U.S. jurisdictions. In addition, CSG administers federal and private foundation grants that support research and information-gathering projects on topics of interest to state officials. CSG also generates revenue from publication sales and by conducting workshops and conferences.

Headquarters Office

The headquarters office in Lexington is organized around four groups that report to the executive director — State Policy and Innovations, State Management and Administration, Communications and Development, and Finance and Administration. These groups are responsible for an array of national programs including research and reference publications, inquiry and referral services, an interstate loan library, innovations transfer, suggested state legislation, secretariat services, data processing services, and interstate consulting.

Also reporting to the executive director is the Washington, D.C. office, which monitors developments at the federal level and evaluates their impact on state legislation and policies. The office helps facilitate contact and cooperation among officials at the federal, state and local levels.

Regional Offices

The Council's regional structure distinguishes it among state service agencies. Offices in Atlanta, Chicago, New York City and San Francisco serve regional conferences of state officials. The backbone of CSG, the regions provide elected and appointed state officials with the opportunity to address issues pertinent to specific areas of the country. Regional task forces and committees actively address their states' interests in fiscal affairs, economic development, environment and natural resources, international trade, agriculture and rural development, and other priority areas.

The issues and activities of each regional office are selected by a regional executive committee of state officials. These CSG offices organize and conduct annual regional meetings, and produce newsletters and substantive issue reports for officials in their regions.

Publications

The Council publishes a variety of materials about state government, including policy reports, reference works, directories, periodicals, information briefs and newsletters. Major CSG publications include:

- *The Book of the States*, a biennial reference guide to major aspects of state government, containing comparative data and essays written by experts on state operations.
- *State Elective Officials and the Legislatures; State Legislative Leadership, Committees and Staff; and State Administrative Officials Classified by Function*, biennial directories that include names, addresses and telephone numbers of state officials.
- *Suggested State Legislation*, an annual volume of draft legislation selected by a national committee of state officials.
- *State Government News*, CSG's monthly magazine on state developments, issues and innovations. Distributed to thousands of state officials, the magazine features several departments, including "Targeted Innovations" and "Conference Calendar," a monthly listing of meetings involving CSG and its associated organizations.
- *The Journal of State Government*, a quarterly publication that provides a forum for the discussion of state issues from political, academic and practitioner viewpoints.
- *Innovations*, a series of reports on state programs selected through an annual awards process for their contribution to innovation in the administration of state government.
- *State Government Research Checklist*, a bimonthly inventory of state government reports and information sources available from CSG's States Information Center library.
- Research reports, indepth, topical information on state programs and policies.

Associated Organizations

CSG is an umbrella organization that allows officials from the different branches of state government to come together and consider issues and challenges of mutual concern. The Council has relationships with a wide range of state officials and their national associations. The more than 55 associated organizations of CSG — with affiliated, cooperating or adjunct status — encompass nearly all state constitutional offices and many functional areas of state government. Among the groups to which CSG provides secretariat services are the lieutenant governors, state treasurers, secretaries of state, general services administrators, purchasing officials, personnel executives, licensure and regulation officials, governmental ethics administrators, information resource executives and telecommunications directors.

A list of the Council's affiliated, cooperating and adjunct groups follow.

The Council of State Governments
Associated Organizations

Affiliated Organizations

Conference of Chief Justices
Conference of State Court Administrators
Council on Licensure, Enforcement and Regulation*
National Association of Attorneys General
National Association of Secretaries of State*
National Association of State Auditors, Comptrollers and Treasurers
National Association of State Directors of Administration and General Services*
National Association of State Personnel Executives*
National Association of State Purchasing Officials*
National Association of State Treasurers*
National Conference of Lieutenant Governors*
National Conference of State Legislatures

Cooperating Organizations

Adjutants General Association of the United States
American Parole and Probation Association*
Association of State Correctional Administrators
Association of State Dam Safety Officials
Association of State Floodplain Managers
Association of State and Interstate Water Pollution Control Administrators
Chief Officers of State Library Agencies*
Coastal States Organization
Council on Governmental Ethics Laws*
Federation of Tax Administrators
Interstate Conference on Water Policy
National Association of Government Training and Development Directors*
National Association of Regulatory Utility Commissioners
National Association of State Agencies for Surplus Property
National Association of State Boating Law Administrators*
National Association of State Controlled Substances Authorities*
National Association of State Departments of Agriculture
National Association of State Facilities Administrators*
National Association of State Foresters
National Association of State Information Resource Executives*
National Association of State Juvenile Correctional Agencies
National Association of State Land Reclamationists
National Association of State Mental Health Program Directors
National Association of State Telecommunications Directors*
National Association of State Unclaimed Property Administrators
National Association of State Units on Aging
National Conference of Commissioners on Uniform State Laws
National Conference of State Fleet Administrators*
National Conference of States on Building Codes and Standards
National Criminal Justice Association
National Emergency Management Association*
National Reciprocal and Family Support Association
National State Printing Association
Ohio River Basin Commission
Parole and Probation Compact Administrators' Association*

* Staffed by The Council of State Governments

Adjunct Organizations

Association of Paroling Authorities International*
Correctional Industries Association*
International Association of Corporation Administrators
National Association of Government Deferred Compensation Administrators*
National Association of Governmental Labor Officials*
National Association of State Election Directors*
National Association of State Emergency Medical Services Training Coordinators*
National Association for Public Employee Wellness*
Organization of State Broadcasting Executives

The Council of State Governments Regional Conferences, 1991-92

East

Eastern Regional Conference*
Assemblyman Robert C. Wertz, New York

Northeast Recycling Council*
Representative Curt McCormack, Vermont — Co-Chair
Denise Lord, Director, Ofc. of Plng., Waste Mgmt. Agency, Maine — Co-Chair

Midwest

Midwest Governors' Conference*
Governor Arne Carlson, Minnesota

Midwestern Legislative Conference*
Senator Corliss Mushik, North Dakota

South

Southern Governors' Association*
Governor Carroll A. Campbell Jr., South Carolina

Southern Legislative Conference*
Senator John J. Hainkel Jr., Louisiana

West

Western Legislative Conference*
Representative Herb Guenther, Arizona

* Staffed by The Council of State Governments

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Senator Gerald Conway, Nebraska
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Representative John E. Miller, Arkansas
Senator Roger D. Moe, Minnesota
Secretary of State Dick Molpus, Mississippi
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Senator Corliss Mushik, North Dakota
Senator Dave Nething, North Dakota
Senate President Samuel B. Nunez Jr., Louisiana
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Senator Cary G. Peterson, Utah
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Senate President Pro Tem John "Eck" Rose, Kentucky
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Chief Justice Robert Stephens, Kentucky
Governor Tommy Thompson, Wisconsin
Representative Richard Voke, Massachusetts
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Senator W. Paul White, Massachusetts
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CHAPTER TEN

STATE PAGES

Table 10.1
OFFICIAL NAMES OF STATES AND JURISDICTIONS, CAPITALS, ZIP CODES AND CENTRAL SWITCHBOARDS

State or other jurisdiction	*Name of state capitol* (a)	*Capital*	*Zip code*	*Area code*	*Central switchboard*
Alabama, State of	State Capitol	Montgomery	36130	205	261-2500
Alaska, State of	State Capitol	Juneau	99811	907	465-2111
Arizona, State of	State Capitol	Phoenix	85007	602	542-4900
Arkansas, State of	State Capitol	Little Rock	72201	501	682-1010
California, State of	State Capitol	Sacramento	95814	916	322-9900
Colorado, State of	State Capitol	Denver	80203	303	866-5000
Connecticut, State of	State Capitol	Hartford	06106	203	566-2211
Delaware, State of	Legislative Hall	Dover	19901	302	739-4000
Florida, State of	The Capitol	Tallahassee	32399	904	488-1234
Georgia, State of	State Capitol	Atlanta	30334	404	656-2000
Hawaii, State of	State Capitol	Honolulu	96813	808	548-2211
Idaho, State of	State Capitol	Boise	83720	208	334-2411
Illinois, State of	State House	Springfield	62706	217	782-2000
Indiana, State of	State House	Indianapolis	46204	317	232-3140
Iowa, State of	State Capitol	Des Moines	50319	515	281-5011
Kansas, State of	State Capitol	Topeka	66612	913	296-0111
Kentucky, Commonwealth of	State Capitol	Frankfort	40601	502	564-3130
Louisiana, State of	State Capitol	Baton Rouge	70804	504	342-6600
Maine, State of	State House	Augusta	04333	207	289-1110
Maryland, State of	State House	Annapolis	21401	301	858-3000
Massachusetts, Commonwealth of	State House	Boston	02133	617	727-2121
Michigan, State of	State Capitol	Lansing	48909	517	373-1837
Minnesota, State of	State Capitol	St. Paul	55515	612	296-6013
Mississippi, State of	New Capitol	Jackson	39215	601	359-1000
Missouri, State of	State Capitol	Jefferson City	65101	314	751-2000
Montana, State of	State Capitol	Helena	59620	406	444-2511
Nebraska, State of	State Capitol	Lincoln	68509	402	471-2311
Nevada, State of	Legislative Building	Carson City	89710	702	687-6800
New Hampshire, State of	State House	Concord	03301	603	271-1110
New Jersey, State of	State House	Trenton	08625	609	292-4840
New Mexico, State of	State Capitol	Santa Fe	87503	505	986-4300
New York, State of	State Capitol	Albany	12224	518	474-2121
North Carolina, State of	State Legislative Building	Raleigh	27611	919	733-1110
North Dakota, State of	State Capitol	Bismarck	58505	701	224-2000
Ohio, State of	State House	Columbus	43215	614	466-2000
Oklahoma, State of	State Capitol	Oklahoma City	73105	405	521-2011
Oregon, State of	State Capitol	Salem	97310	503	378-8551
Pennsylvania, Commonwealth of	Main Capitol Building	Harrisburg	17120	717	787-2121
Rhode Island and Providence Plantations, State of	State House	Providence	02903	401	277-2000
South Carolina, State of	State House	Columbia	29211	803	734-1000
South Dakota, State of	State Capitol	Pierre	57501	605	773-3011
Tennessee, State of	State Capitol	Nashville	37243	615	741-3011
Texas, State of	State Capitol	Austin	78711	512	463-4630
Utah, State of	State Capitol	Salt Lake City	84114	801	538-4000
Vermont, State of	State House	Montpelier	05609	802	828-1110
Virginia, Commonwealth of	State Capitol	Richmond	23219	804	786-0000
Washington, State of	Legislative Building	Olympia	98504	206	753-5000
West Virginia, State of	State Capitol	Charleston	25305	304	348-3456
Wisconsin, State of	State Capitol	Madison	53702	608	266-2211
Wyoming, State of	State Capitol	Cheyenne	82002	307	777-7220
District of Columbia	District Building	Washington	20004	202	727-1000
American Samoa, Territory of	Maota Fono	Pago Pago	96799	684	633-5231
Federated States of Micronesia	Congress Office Building	Kolonia	96941	. . .	NCS
Guam, Territory of	Congress Building	Agana	96910	671	472-8931
Marshall Islands	. . .	Majuro	96960	. . .	NCS
No. Mariana Islands, Commonwealth of	Civic Center Building	Saipan	96950	. . .	NCS
Puerto Rico, Commonwealth of	The Capitol	San Juan	00904	809	721-6040
Republic of Palau	. . .	Koror	96940	. . .	NCS
U.S. Virgin Islands, Territory of	Capitol Building	Charlotte Amalie, St. Thomas	00801	809	774-0880

NCS—No central switchboard.

(a) In some instances the name is not official.

Table 10.2
HISTORICAL DATA ON THE STATES

State or other jurisdiction	*Source of state lands*	*Date organized as territory*	*Date admitted to Union*	*Chronological order of admission to Union*
Alabama	Mississippi Territory, 1798(a)	March 3, 1817	Dec. 14, 1819	22
Alaska	Purchased from Russia, 1867	Aug. 24, 1912	Jan. 3, 1959	49
Arizona	Ceded by Mexico, 1848(b)	Feb. 24, 1863	Feb. 14, 1912	48
Arkansas	Louisiana Purchase, 1803	March 2, 1819	June 15, 1836	25
California	Ceded by Mexico, 1848	(c)	Sept. 9, 1850	31
Colorado	Louisiana Purchase, 1803(d)	Feb. 28, 1861	Aug. 1, 1876	38
Connecticut	Fundamental Orders, Jan. 14, 1638; Royal charter, April 23, 1662(e)	. . .	Jan. 9, 1788(f)	5
Delaware	Swedish charter, 1638; English charter, 1683(e)	. . .	Dec. 7, 1787(f)	1
Florida	Ceded by Spain, 1819	March 30, 1822	March 3, 1845	27
Georgia	Charter, 1732, from George II to Trustees for Establishing the Colony of Georgia(e)	. . .	Jan. 2, 1788(f)	4
Hawaii	Annexed, 1898	June 14, 1900	Aug. 21, 1959	50
Idaho	Treaty with Britain, 1846	March 4, 1863	July 3, 1890	43
Illinois	Northwest Territory, 1787	Feb. 3, 1809	Dec. 3, 1818	21
Indiana	Northwest Territory, 1787	May 7, 1800	Dec. 11, 1816	19
Iowa	Louisiana Purchase, 1803	June 12, 1838	Dec. 28, 1846	29
Kansas	Louisiana Purchase, 1803(d)	May 30, 1854	Jan. 29, 1861	34
Kentucky	Part of Virginia until admitted as state	(c)	June 1, 1792	15
Louisiana	Louisiana Purchase, 1803(g)	March 26, 1804	April 30, 1812	18
Maine	Part of Massachusetts until admitted as state	(c)	March 15, 1820	23
Maryland	Charter, 1632, from Charles I to Calvert(e)	. . .	April 28, 1788(f)	7
Massachusetts	Charter to Massachusetts Bay Company, 1629(e)	. . .	Feb. 6, 1788(f)	6
Michigan	Northwest Territory, 1787	Jan. 11, 1805	Jan. 26, 1837	26
Minnesota	Northwest Territory, 1787(h)	March 3, 1849	May 11, 1858	32
Mississippi	Mississippi Territory(i)	April 7, 1798	Dec. 10, 1817	20
Missouri	Louisiana Purchase, 1803	June 4, 1812	Aug. 10, 1821	24
Montana	Louisiana Purchase, 1803(j)	May 26, 1864	Nov. 8, 1889	41
Nebraska	Louisiana Purchase, 1803	May 30, 1854	March 1, 1867	37
Nevada	Ceded by Mexico, 1848	March 2, 1861	Oct. 31, 1864	36
New Hampshire	Grants from Council for New England, 1622 and 1629; made Royal province, 1679(e)	. . .	June 21, 1788(f)	9
New Jersey	Dutch settlement, 1618; English charter, 1664(e)	. . .	Dec. 18, 1787(f)	3
New Mexico	Ceded by Mexico, 1848(b)	Sept. 9, 1850	Jan. 6, 1912	47
New York	Dutch settlement, 1623; English control, 1664(e)	. . .	July 26, 1788(f)	11
North Carolina	Charter, 1663, from Charles II(e)	. . .	Nov. 21, 1789(f)	12
North Dakota	Louisiana Purchase, 1803(k)	March 2, 1861	Nov. 2, 1889	39
Ohio	Northwest Territory, 1787	May 7, 1800	March 1, 1803	17
Oklahoma	Louisiana Purchase, 1803	May 2, 1890	Nov. 16, 1907	46
Oregon	Settlement and treaty with Britain, 1846	Aug. 14, 1848	Feb. 14, 1859	33
Pennsylvania	Grant from Charles II to William Penn, 1681(e)	. . .	Dec. 12, 1787(f)	2
Rhode Island	Charter, 1663, from Charles II(e)	. . .	May 29, 1790(f)	13
South Carolina	Charter, 1663, from Charles II(e)	. . .	May 23, 1788(f)	8
South Dakota	Louisiana Purchase, 1803	March 2, 1861	Nov. 2, 1889	40
Tennessee	Part of North Carolina until land ceded to U.S. in 1789	June 8, 1790(l)	June 1, 1796	16
Texas	Republic of Texas, 1845	(c)	Dec. 29, 1845	28
Utah	Ceded by Mexico, 1848	Sept. 9, 1850	Jan. 4, 1896	45
Vermont	From lands of New Hampshire and New York	(c)	March 4, 1791	14
Virginia	Charter, 1609, from James I to London Company(e)	. . .	June 25, 1788(f)	10
Washington	Oregon Territory, 1848	March 2, 1853	Nov. 11, 1889	42
West Virginia	Part of Virginia until admitted as state	(c)	June 20, 1863	35
Wisconsin	Northwest Territory, 1787	April 20, 1836	May 29, 1848	30
Wyoming	Louisiana Purchase, 1803(d,j)	July 25, 1868	July 10, 1890	44
Dist. of Columbia	Maryland(m)	. . .	. . .	. . .
American Samoa	Became a territory, 1900			
Federated States of Micronesia	. . .	May 10, 1979	. . .	. . .
Guam	Ceded by Spain, 1898	Aug. 1, 1950	. . .	. . .
Marshall Islands	. . .	May 1, 1979	. . .	. . .
No. Mariana Is.	. . .	March 24, 1976	. . .	. . .
Puerto Rico	Ceded by Spain, 1898	. . .	July 25, 1952(n)	. . .
Republic of Palau	. . .	Jan. 1, 1981	. . .	. . .
U.S. Virgin Islands	Purchased from Denmark, March 31, 1917			

See footnotes at end of table.

HISTORICAL DATA—Continued

(a) By the Treaty of Paris, 1783, England gave up claim to the 13 original Colonies, and to all land within an area extending along the present Canadian border to the Lake of the Woods, down the Mississippi River to the 31st parallel, east to the Chattahoochie, down that river to the mouth of the Flint, east to the source of the St. Mary's, down that river to the ocean. The major part of Alabama was acquired by the Treaty of Paris, and the lower portion from Spain in 1813.

(b) Portion of land obtained by Gadsden Purchase, 1853.

(c) No territorial status before admission to Union.

(d) Portion of land ceded by Mexico, 1848.

(e) One of the original 13 Colonies.

(f) Date of ratification of U.S. Constitution.

(g) West Feliciana District (Baton Rouge) acquired from Spain, 1810; added to Louisiana, 1812.

(h) Portion of land obtained by Louisiana Purchase, 1803.

(i) See footnote (a). The lower portion of Mississippi also was acquired from Spain in 1813.

(j) Portion of land obtained from Oregon Territory, 1848.

(k) The northern portion of the Red River Valley was acquired by treaty with Great Britain in 1818.

(l) Date Southwest Territory (identical boundary as Tennessee's) was created.

(m) Area was originally 100 square miles, taken from Virginia and Maryland. Virginia's portion south of the Potomac was given back to that state in 1846. Site chosen in 1790, city incorporated 1802.

(n) On this date, Puerto Rico became a self-governing commonwealth by compact approved by the U.S. Congress and the voters of Puerto Rico as provided in U.S. Public Law 600 of 1950.

Table 10.3
STATE STATISTICS

State or other jurisdiction	Land area		Population		Percentage change 1980 to 1990	Density per square mile	No. of Representatives in Congress	Capital	Population	Rank in state	Largest city	Population
	In square miles	Rank in nation	Size	Rank in nation								
Alabama	50,750	28	4,040,857	22	3.8	79.62	7	Montgomery	187,106	3	Birmingham	265,968
Alaska	570,374	1	550,043	49	36.9	0.96	1	Juneau	26,751	3	Anchorage	226,338
Arizona	113,642	6	3,665,228	24	34.8	32.25	6	Phoenix	983,403	1	Phoenix	983,403
Arkansas	52,075	27	2,350,725	33	2.8	45.14	4	Little Rock	175,795	1	Little Rock	175,795
California	155,973	3	29,760,021	1	25.7	190.80	52	Sacramento	369,365	7	Los Angeles	3,485,398
Colorado	103,730	8	3,294,394	26	14.0	31.76	6	Denver	467,610	1	Denver	467,610
Connecticut	4,845	48	3,287,116	27	5.8	678.40	6	Hartford	139,739	2	Bridgeport	141,686
Delaware	1,955	49	666,168	46	12.1	340.82	1	Dover	27,630	2	Wilmington	71,529
Florida	53,997	26	12,937,926	4	32.7	239.60	23	Tallahassee	124,773	8	Jacksonville	635,230
Georgia	57,919	21	6,478,216	11	18.6	111.85	11	Atlanta	394,017	1	Atlanta	394,017
Hawaii	6,423	47	1,108,229	41	14.9	172.53	2	Honolulu	365,272	1	Honolulu	365,272
Idaho	82,751	11	1,006,749	42	6.7	12.17	2	Boise	125,738	1	Boise	125,738
Illinois	55,593	24	11,430,602	6	0.0	205.61	20	Springfield	105,227	4	Chicago	2,783,726
Indiana	35,870	38	5,544,159	14	1.0	154.56	10	Indianapolis	731,327	1	Indianapolis	731,327
Iowa	55,875	23	2,776,755	30	−4.7	49.70	5	Des Moines	193,187	1	Des Moines	193,187
Kansas	81,823	13	2,477,574	32	4.8	30.28	4	Topeka	119,883	3	Wichita	304,011
Kentucky	39,732	36	3,685,296	23	0.7	92.75	6	Frankfort	25,968	8	Louisville	269,063
Louisiana	43,566	33	4,219,973	21	0.3	96.86	7	Baton Rouge	219,531	2	New Orleans	496,938
Maine	30,865	39	1,227,928	38	9.2	39.78	2	Augusta	21,325	6	Portland	64,358
Maryland	9,775	42	4,781,468	19	13.4	489.17	8	Annapolis	33,187	22	Baltimore	736,014
Massachusetts	7,838	45	6,016,425	13	4.9	767.60	10	Boston	574,283	1	Boston	574,283
Michigan	56,809	22	9,295,297	8	0.4	163.62	16	Lansing	127,321	5	Detroit	1,027,974
Minnesota	79,617	14	4,375,099	20	7.3	54.95	8	St. Paul	272,235	2	Minneapolis	368,383
Mississippi	46,914	31	2,573,216	31	2.1	54.85	5	Jackson	196,637	1	Jackson	196,637
Missouri	68,898	18	5,117,073	15	4.1	74.27	9	Jefferson City	35,481	13	Kansas City	435,146
Montana	145,556	4	799,065	44	1.6	5.49	1	Helena	24,569	5	Billings	81,151
Nebraska	76,878	15	1,578,385	36	0.5	20.53	3	Lincoln	191,972	2	Omaha	335,795
Nevada	109,806	7	1,201,833	39	50.1	10.95	2	Carson City	40,443	9	Las Vegas	258,295
New Hampshire	8,969	44	1,109,252	40	20.5	123.67	2	Concord	36,006	3	Manchester	99,567
New Jersey	7,419	46	7,730,188	9	5.0	1,041.97	13	Trenton	88,675	5	Newark	275,221
New Mexico	121,364	5	1,515,069	37	16.3	12.48	3	Santa Fe	55,859	3	Albuquerque	384,736
New York	47,224	30	17,990,455	2	2.5	380.96	31	Albany	101,082	6	New York City	7,322,564
North Carolina	48,718	29	6,628,637	10	12.7	136.06	12	Raleigh	207,951	2	Charlotte	395,934
North Dakota	68,994	17	638,800	47	−2.1	9.26	1	Bismarck	49,256	3	Fargo	74,111
Ohio	40,953	35	10,847,115	7	0.5	264.87	19	Columbus	632,910	1	Columbus	632,910
Oklahoma	68,679	19	3,145,585	28	4.0	45.80	6	Oklahoma City	444,719	1	Oklahoma City	444,719
Oregon	96,003	10	2,842,321	29	7.9	29.61	5	Salem	107,786	3	Portland	437,319
Pennsylvania	44,820	32	11,881,643	5	0.1	265.10	21	Harrisburg	52,376	9	Philadelphia	1,585,577
Rhode Island	1,045	50	1,003,464	43	5.9	960.27	2	Providence	160,728	1	Providence	160,728
South Carolina	30,111	40	3,486,703	25	11.7	115.79	6	Columbia	98,052	1	Columbia	98,052
South Dakota	75,898	16	696,004	45	0.8	9.17	1	Pierre	12,906	7	Sioux Falls	100,814
Tennessee	41,220	34	4,877,185	17	6.2	118.32	9	Nashville	488,374	2	Memphis	610,337
Texas	261,914	2	16,986,510	3	19.4	64.86	30	Austin	465,622	5	Houston	1,630,553
Utah	82,168	12	1,722,850	35	17.9	20.97	3	Salt Lake City	159,936	1	Salt Lake City	159,936
Vermont	9,249	43	562,758	48	10.0	60.84	1	Montpelier	8,247	13	Burlington	39,127

See footnotes at end of table.

STATE STATISTICS—Continued

State or other jurisdiction	*Land area*		*Population*		*Percentage change 1980 to 1990*	*Density per square mile*	*No. of Representatives in Congress*	*Capital*	*Population*	*Rank in state*	*Largest city*	*Population*
	In square miles	*Rank in nation*	*Size*	*Rank in nation*								
Virginia	39,598	37	6,187,358	12	15.7	156.26	11	Richmond	203,056	3	Virginia Beach	393,069
Washington	66,582	20	4,866,692	18	17.8	73.09	9	Olympia	33,840	18	Seattle	516,259
West Virginia	24,087	41	1,793,477	34	−8.0	74.46	3	Charleston	57,287	1	Charleston	57,287
Wisconsin	54,314	25	4,891,769	16	4.0	90.07	9	Madison	191,262	2	Milwaukee	628,088
Wyoming	97,105	9	453,588	50	−3.4	4.67	1	Cheyenne	50,008	1	Cheyenne	50,008
Dist. of Columbia	61	. . .	606,900	. . .	N.A.	9,882.76	1(a)	. . .	. . .	. . .	. . .	. . .
American Samoa	77	. . .	46,773	. . .	0.7	607.44	. . .	Pago Pago	3,519	. . .	Pago Pago	3,519
Fed. States of Micronesia		. . .	111,500	. . .	0.7	356.23	. . .	Pohnpei	52,000	1	Pohnpei	52,000
Guam	209	. . .	132,000	. . .	0.8	631.58	1(a)	Agana	1,139	18	Tamuning	16,673
No. Mariana Islands	183.5	. . .	43,345	. . .	0.4	236.21	1(a)	Saipan	38,896	1	Saipan	38,896
Puerto Rico	3,421	. . .	3,336,000	. . .	10.0	975.15	. . .	San Juan	437,745	1	San Juan	437,745
Marshall Islands	70	. . .	43,000	. . .	0.4	614.29	. . .	Majuro	20,000	1	Majuro	20,000
Republic of Palau	192	. . .	15,122	. . .	0.8	78.76	. . .	Koror	10,501	1	Koror	10,501
U.S. Virgin Islands	136	. . .	101,809	. . .	0.9	748.60	1(a)	Charlotte Amalie, St. Thomas	12,331	1	Charlotte Amalie, St. Thomas	12,331

Source: U.S. Department of Commerce, Bureau of the Census.

Key:

. . . — Not applicable

N.A. — Not available

(a) Delegate with committee voting privileges only.

Alabama

Nickname	The Heart of Dixie
Motto	*We Dare Maintain Our Rights*
Animal	Racking Horse
Flower	Camellia
Bird	Yellowhammer
Tree	Southern (Longleaf) Pine
Song	*Alabama*
Insect	Monarch butterfly
Rock	Marble
Entered the Union	December 14, 1819
Capital	Montgomery

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Guy Hunt
Lieutenant Governor	Jim Folsom Jr.
Secretary of State	Billy Joe Camp
Attorney General	Jimmy Evans
Treasurer	George C. Wallace Jr.
Auditor	Terry Ellis
Commr. of Agriculture & Industries	A.W. Todd

SUPREME COURT

Sonny Hornsby, Chief Justice
Alva Hugh Maddox
Reneau P. Almon
Janie L. Shores
Oscar W. Adams Jr.
Gorman Houston
Henry B. Steagall II
Mark Kennedy
Kenneth F. Ingram

LEGISLATURE

President of the Senate	Lt. Gov. Jim Folsom Jr.
President Pro Tem of the Senate	Ryan deGraffenried Jr.
Secretary of the Senate	McDowell Lee
Speaker of the House	James Clark
Speaker Pro Tem of the House	James M. Campbell
Clerk of the House	Gregg Pappas

STATISTICS

Land Area (square miles)	50,750
Rank in Nation	28th
Population	4,040,857
Rank in Nation	22nd
Density per square mile	79.62
Number of Representatives in Congress	7
Capital City	Montgomery
Population	187,106
Rank in State	3rd
Largest City	Birmingham
Population	265,968
Number of Cities over 10,000 Population	50

Alaska

Motto	*North to the Future*
Flower	Forget-me-not
Marine Mammal	Bowhead Whale
Bird	Willow Ptarmigan
Tree	Sitka Spruce
Song	*Alaska's Flag*
Fish	King Salmon
Fossil	Woolly Mammoth
Sport	Dog Mushing
Gem	Jade
Mineral	Gold
Purchased from Russia by the United States	March 30, 1867
Entered the Union	January 3, 1959
Capital	Juneau

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Walter Hickel
Lieutenant Governor	John B. Coghill

SUPREME COURT

Jay A. Rabinowitz, Chief Justice
Edmond W. Burke
Warren W. Matthews
Allen Compton
Daniel Moore Jr.

LEGISLATURE

President of the Senate	Richard Eliason
Secretary of the Senate	Nancy Quinto
Speaker of the House	Ben Grussendorf
Chief Clerk of the House	Kris Gray

STATISTICS

Land Area (square miles)	570,373
Rank in Nation	1st
Population	550,043
Rank in Nation	49th
Density per square mile	0.96
Number of Representatives in Congress	1
Capital City	Juneau
Population	26,751
Rank in State	3rd
Largest City	Anchorage
Population	226,338
Number of Cities over 10,000 Population	4

Arizona

Nickname	The Grand Canyon State
Motto	*Ditat Deus* (God Enriches)
Flower	Blossom of the Saguaro Cactus
Bird	Cactus Wren
Tree	Palo Verde
Song	*Arizona March Song* and *Arizona*
Gemstone	Turquoise
Official Neckwear	Bola Tie
Entered the Union	February 14, 1912
Capital	Phoenix

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Fife Symington III
Secretary of State	Richard D. Mahoney
Attorney General	Grant Woods
Treasurer	Tony West
Supt. of Public Instruction	C. Diane Bishop
Mine Inspector	Douglas K. Martin

SUPREME COURT

Frank X. Gordon Jr., Chief Justice
Stanley G. Feldman, Vice Chief Justice
James Duke Cameron
Robert J. Corcoran
James Moeller

LEGISLATURE

President of the Senate	Peter Rios
President Pro Tem of the Senate	A.V. "Bill" Hart
Secretary of the Senate	Shirley L. Wheaton
Speaker of the House	Jane Dee Hull
Speaker Pro Tem of the House	John Wettaw
Chief Clerk of the House	Jane Richards

STATISTICS

Land Area (square miles)	113,642
Rank in Nation	6th
Population	3,665,228
Rank in Nation	24th
Density per square mile	32.25
Number of Representatives in Congress	6
Capital City	Phoenix
Population	983,403
Rank in State	1st
Largest City	Phoenix
Number of Places over 10,000 Population	28

Arkansas

Nickname	The Land of Opportunity
Motto	*Regnat Populus* (The People Rule)
Flower	Apple Blossom
Bird	Mockingbird
Tree	Pine
Song	*Arkansas*
Gem	Diamond
Entered the Union	June 15, 1836
Capital	Little Rock

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Bill Clinton
Lieutenant Governor	Jim Guy Tucker
Secretary of State	W.J. "Bill" McCuen
Attorney General	Winston Bryant
Treasurer	JimmieLou Fisher Lumpkin
Auditor	Julia Hughs Jones
Land Commr.	Charlie Daniels

SUPREME COURT

Jack Holt, Jr., Chief Justice
Robert H. Dudley
Steele Hays
David Newbern
Tom Glaze
Donald L. Corbin
Robert L. Brown

GENERAL ASSEMBLY

President of the Senate	Lt. Gov. Jim Guy Tucker
President Pro Tem of the Senate	Jerry Bookout
Secretary of the Senate	Hal Moody
Speaker of the House	John "M" Lipton
Speaker Pro Tem of the House	Joseph K. "Jodie" Mahong II
Chief Clerk of the House	Jo Renshaw

STATISTICS

Land Area (square miles)	52,075
Rank in Nation	27th
Population	2,350,725
Rank in Nation	33rd
Density per square mile	45.14
Number of Representatives in Congress	4
Capital City	Little Rock
Population	175,795
Rank in State	1st
Largest City	Little Rock
Number of Places over 10,000 Population	27

California

Nickname	The Golden State
Motto	*Eureka* (I Have Found It)
Animal	California Grizzly Bear
Flower	Golden Poppy
Bird	California Valley Quail
Tree	California Redwood
Song	*I Love You, California*
Fossil	Saber-Toothed Cat
Marine Mammal	California Gray Whale
Entered the Union	September 9, 1850
Capital	Sacramento

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Pete Wilson
Lieutenant Governor	Leo T. McCarthy
Secretary of State	March Fong Eu
Attorney General	Daniel E. Lungren
Treasurer	Kathleen Brown
Controller	Gray Davis
Insurance Commissioner	John Garamendi
Supt. of Public Instruction	Bill Honig

SUPREME COURT

Malcolm M. Lucas, Chief Justice
Stanley Mosk
Allen E. Broussard
Edward Panelli
Joyce Luther Kinnard
Armand Arabian
Marvin Baxter

LEGISLATURE

President of the Senate	Lt. Gov. Leo T. McCarthy
President Pro Tem of the Senate	David A. Roberti
Secretary of the Senate	Rick Rollens
Speaker of the Assembly	Willie Lewis Brown Jr.
Speaker Pro Tem of the Assembly	Larry O'Connell
Acting Chief Clerk of the Assembly	Larry Murman

STATISTICS

Land Area (square miles)	155,973
Rank in Nation	3rd
Population	29,760,021
Rank in Nation	1st
Density per square mile	190.80
Number of Representatives in Congress	52
Capital City	Sacramento
Population	369,365
Rank in State	7th
Largest City	Los Angeles
Population	3,485,398
Number of Places over 10,000 Population	383

Colorado

Nickname	The Centennial State
Motto	*Nil Sine Numine* (Nothing Without Providence)
Flower	Columbine
Bird	Lark Bunting
Tree	Blue Spruce
Song	*Where the Columbines Grow*
Fossil	Stegosaurus
Gemstone	Aquamarine
Animal	Bighorn Sheep
Entered the Union	August 1, 1876
Capital	Denver

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Roy Romer
Lieutenant Governor	C. Michael Callihan
Secretary of State	Natalie Meyer
Attorney General	Gale Norton
Treasurer	Gail S. Schoettler

SUPREME COURT

Luis D. Rovira, Chief Justice
William H. Erickson
George E. Lohr
Joseph R. Quinn
Howard M. Kirshbaum
Anthony Vollack
Mary J. Mullakey

GENERAL ASSEMBLY

President of the Senate	Ted L. Strickland
President Pro Tem of the Senate	Harold L. McCormick
Secretary of the Senate	Joan M. Albi
Speaker of the House	Charles Berry
Speaker Pro Tem of the House	Betty Neale
Chief Clerk of the House	Lee C. Bahrych

STATISTICS

Land Area (square miles)	103,730
Rank in Nation	8th
Population	3,294,394
Rank in Nation	26th
Density per square mile	31.76
Number of Representatives in Congress	6
Capital City	Denver
Population	467,610
Rank in State	1st
Largest City	Denver
Number of Places over 10,000 Population	39

Connecticut

Nickname	The Constitution State
Motto	*Qui Transtulit Sustinet* (He Who Transplanted Still Sustains)
Animal	Sperm Whale
Flower	Mountain Laurel
Bird	American Robin
Tree	White Oak
Song	*Yankee Doodle*
Mineral	Garnet
Insect	European "Praying" Mantis
Entered the Union	January 9, 1788
Capital	Hartford

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Lowell P. Weicker Jr.
Lieutenant Governor	Eunice Strong Groark
Secretary of State	Pauline Kezer
Attorney General	Richard Blumenthal
Treasurer	Francisco Borges
Comptroller	William E. Curry Jr.

SUPREME COURT

Ellen Ash Peters, Chief Justice
David M. Shea
Robert J. Callahan
Robert D. Glass
Alfred V. Covello
David M. Borden
Robert I. Berdon

GENERAL ASSEMBLY

President of the Senate	Lt. Gov. Eunice Strong Groark
President Pro Tem of the Senate	John B. Larson
Clerk of the Senate	Thomas P. Sheridan
Speaker of the House	Richard J. Balducci
Deputy Speakers of the House	Janet Polinsky, Dean P. Markham
Clerk of the House	Penn J. Ritter

STATISTICS

Land Area (square miles)	4,845
Rank in Nation	48th
Population	3,287,116
Rank in Nation	27th
Density per square mile	678.40
Number of Representatives in Congress	6
Capital City	Hartford
Population	139,739
Rank in State	2nd
Largest City	Bridgeport
Population	141,686
Number of Places over 10,000 Population	95

Delaware

Nickname	The First State
Motto	*Liberty and Independence*
Flower	Peach Blossom
Bird	Blue Hen Chicken
Tree	American Holly
Song	*Our Delaware*
Mineral	Sillimanite
Beverage	Milk
Entered the Union	December 7, 1787
Capital	Dover

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Michael N. Castle
Lieutenant Governor	Dale E. Wolf
Attorney General	Charles M. Oberly III
Treasurer	Janet C. Rzewnicki
Auditor	R. Thomas Wagner Jr.
Insurance Commr.	David N. Levinson

SUPREME COURT

E. Norman Veasey, Chief Justice
Henry R. Horsey
Andrew G.T. Moore II
Joseph T. Walsh
Randy J. Holland

GENERAL ASSEMBLY

President of the Senate	Lt. Gov. Dale E. Wolf
President Pro Tem of the Senate	Richard S. Cordrey
Secretary of the Senate	Bernard J. Brady
Speaker of the House	Terry R. Spence
Chief Clerk of the House	JoAnn Hedrick

STATISTICS

Land Area (square miles)	1,955
Rank in Nation	49th
Population	666,168
Rank in Nation	46th
Density per square mile	340.82
Number of Representatives in Congress	1
Capital City	Dover
Population	27,630
Rank in State	2nd
Largest City	Wilmington
Population	71,529
Number of Places over 10,000 Population	5

Florida

Nickname	The Sunshine State
Motto	*In God We Trust*
Animal	Florida Panther
Flower	Orange Blossom
Bird	Mockingbird
Tree	Sabal Palmetto Palm
Song	*The Swanee River (Old Folks at Home)*
Marine Mammal	Manatee
Saltwater Mammal	Porpoise
Gem	Moonstone
Shell	Horse Conch
Entered the Union	March 3, 1845
Capital	Tallahassee

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Lawton Chiles
Lieutenant Governor	Buddy MacKay
Secretary of State	Jim Smith
Attorney General	Bob Butterworth
Treasurer/Insurance Commr.	Tom Gallagher
Comptroller	Gerald A. Lewis
Commr. of Education	Betty Castor
Commr. of Agriculture	Bob Crawford

SUPREME COURT

Leander J. Shaw Jr., Chief Justice
Ben F. Overton
Parker Lee McDonald
Rosemary Barkett
Stephen Grimes
Gerald Kogan
Major B. Harding

LEGISLATURE

President of the Senate	Gwen Margolis
President Pro Tem of the Senate	Winston W. Gardner Jr.
Secretary of the Senate	Joe Brown
Speaker of the House	T.K. Wetherell
Speaker Pro Tem of the House	Everett Kelly
Clerk of the House	John B. Phelps

STATISTICS

Land Area (square miles)	53,997
Rank in Nation	26th
Population	12,937,926
Rank in Nation	4th
Density per square mile	239.60
Number of Representatives in Congress	23
Capital City	Tallahassee
Population	124,773
Rank in State	8th
Largest City	Jacksonville
Population	635,230
Number of Places over 10,000 Population	116

Georgia

Nickname*	The Empire State of the South
Motto	*Wisdom, Justice and Moderation*
Flower	Cherokee Rose
Bird	Brown Thrasher
Tree	Live Oak
Song	*Georgia on My Mind*
Butterfly	Tiger Swallowtail
Insect	Honeybee
Fish	Largemouth Bass
Entered the Union	January 2, 1788
Capital	Atlanta

*Unofficial

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Zell Miller
Lieutenant Governor	Pierre Howard
Secretary of State	Max Cleland
Attorney General	Michael J. Bowers
Commr. of Insurance	Tim Ryles
Superintendent of Schools	Werner Rogers
Commr. of Agriculture	Thomas T. Irvin
Commr. of Labor	Albert J. Scott

SUPREME COURT

Harold G. Clarke, Chief Justice
George T. Smith
Charles L. Weltner
Richard Bell
Willis B. Hunt Jr.
Robert Benham
Norman Fletcher

GENERAL ASSEMBLY

President of the Senate	Lt. Gov. Pierre Howard
President Pro Tem of the Senate	J. Nathan Deal
Secretary of the Senate	Hamilton McWhorter Jr.
Speaker of the House	Thomas B. Murphy
Speaker Pro Tem of the House	Jack Connell
Clerk of the House	Robert Rivers

STATISTICS

Land Area (square miles)	57,919
Rank in Nation	21st
Population	6,478,216
Rank in Nation	11th
Density per square mile	111.85
Number of Representatives in Congress	11
Capital City	Atlanta
Population	394,017
Rank in State	1st
Largest City	Atlanta
Number of Places over 10,000 Population	66

Hawaii

Nickname	The Aloha State
Motto	*Ua Mau Ke Ea O Ka Aina I Ka Pono* (The Life of the Land Is Perpetuated in Righteousness)
Flower	Hibiscus
Bird	Hawaiian Goose
Tree	Kukui Tree (Candlenut)
Song	*Hawaii Ponoi*
Entered the Union	August 21, 1959
Capital	Honolulu

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	John D. Waihee III
Lieutenant Governor	Benjamin J. Cayetano

SUPREME COURT

Herman T.F. Lum, Chief Justice
James H. Wakatsuki
Frank D. Padgett
Yoshimi Hayashi
Ronald Moon

LEGISLATURE

President of the Senate	Richard S.H. Wong
Vice President of the Senate	James Aki
Clerk of the Senate	T. David Woo Jr.
Speaker of the House	Daniel J. Kihano
Vice Speaker of the House	Peter K. Apo
Clerk of the House	Gerald I. Miyoshi

STATISTICS

Land Area (square miles)	6,423
Rank in Nation	47th
Population	1,108,229
Rank in Nation	41st
Density per square mile	172.53
Number of Representatives in Congress	2
Capital City	Honolulu
Population	365,272
Rank in State	1st
Largest City	Honolulu
Number of Places over 10,000 Population	15

Idaho

Nickname	The Gem State
Motto	*Esto Perpetua* (Let It Be Perpetual)
Flower	Syringa
Bird	Mountain Bluebird
Tree	Western White Pine
Song	*Here We Have Idaho*
Horse	Appaloosa
Gemstone	Idaho Star Garnet
Entered the Union	July 3, 1890
Capital	Boise

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Cecil D. Andrus
Lieutenant Governor	C.L. "Butch" Otter
Secretary of State	Pete T. Cenarrusa
Attorney General	Larry EchoHawk
Treasurer	Lydia J. Edwards
Auditor	J.D. Williams
Supt. of Public Instruction	Jerry L. Evans

SUPREME COURT

Robert E. Bakes, Chief Justice
Stephen Bistline
Byron Johnson
Larry M. Boyle
Chas F. McDevitt

LEGISLATURE

President of the Senate	Lt. Gov. C.L. "Butch" Otter
President Pro Tem of the Senate	Michael Crapo
Secretary of the Senate	Jeannine Wood
Speaker of the House	Tom Boyd
Chief Clerk of the House	Phyllis Watson

STATISTICS

Land Area (square miles)	82,751
Rank in Nation	11th
Population	1,006,749
Rank in Nation	42nd
Density per square mile	12.17
Number of Representatives in Congress	2
Capital City	Boise
Population	125,738
Rank in State	1st
Largest City	Boise
Number of Places over 10,000 Population	10

Illinois

Nickname	The Prairie State
Great Seal	*State Sovereignty-National Union*
Animal	White-tailed Deer
Flower	Native Violet
Bird	Cardinal
Tree	White Oak
Song	*Illinois*
Mineral	Fluorite
Fish	Bluegill
Entered the Union	December 3, 1818
Capital	Springfield

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Jim Edgar
Lieutenant Governor	Bob Kustra
Secretary of State	George Ryan
Attorney General	Roland W. Burris
Treasurer	Patrick Quinn
Comptroller	Dawn Clark Netsch

SUPREME COURT

Ben Miller, Chief Justice
William G. Clark
Thomas J. Moran
Michael A. Bilandic
James D. Heiple
Charles E. Freeman
Joseph F. Cunningham

GENERAL ASSEMBLY

President of the Senate	Philip J. Rock
Secretary of the Senate	Linda Hawker
Speaker of the House	Michael J. Madigan
Chief Clerk of the House	John F. O'Brien

STATISTICS

Land Area (square miles)	55,593
Rank in Nation	24th
Population	11,430,602
Rank in Nation	6th
Density per square mile	205.61
Number of Representatives in Congress	20
Capital City	Springfield
Population	105,227
Rank in State	4th
Largest City	Chicago
Population	2,783,726
Number of Places over 10,000 Population	180

Indiana

Nickname	The Hoosier State
Motto	*Crossroads of America*
Flower	Peony
Bird	Cardinal
Tree	Tulip Poplar
Song	*On the Banks of the Wabash, Far Away*
Poem	*Indiana* by Franklin Mapes
Stone	Limestone
Entered the Union	December 11, 1816
Capital	Indianapolis

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Evan Bayh
Lieutenant Governor	Frank L. O'Bannon
Secretary of State	Joseph H. Hogsett
Attorney General	Linley E. Pearson
Treasurer	Marjorie H. O'Laughlin
Auditor	Ann G. DeVore
Supt. of Public Instruction	H. Dean Evans

SUPREME COURT

Randall T. Shepard, Chief Justice
Richard M. Givan
John Krahulik
Roger O. DeBruler
Brent E. Dickson

GENERAL ASSEMBLY

President of the Senate	Lt. Gov. Frank L. O'Bannon
President Pro Tem of the Senate	Robert D. Garton
Principal Secretary of the Senate	Carolyn J. Tinkle
Speaker of the House	Michael K. Phillips
Speaker Pro Tem of the House	Chester F. Dobis
Principal Clerk of the House	Betty Masariu

STATISTICS

Land Area (square miles)	35,870
Rank in Nation	38th
Population	5,544,159
Rank in Nation	14th
Density per square mile	154.56
Number of Representatives in Congress	10
Capital City	Indianapolis
Population	731,327
Rank in State	1st
Largest City	Indianapolis
Number of Places over 10,000 Population	63

Iowa

Nickname	The Hawkeye State
Motto	*Our Liberties We Prize and Our Rights We Will Maintain*
Flower	Wild Rose
Bird	Eastern Goldfinch
Tree	Oak
Song	*The Song of Iowa*
Stone	Geode
Entered the Union	December 28, 1846
Capital	Des Moines

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Terry E. Branstad
Lieutenant Governor	Joy C. Corning
Secretary of State	Elaine Baxter
Attorney General	Bonnie Campbell
Treasurer	Michael L. Fitzgerald
Auditor	Richard D. Johnson
Secy. of Agriculture	Dale Cochran

SUPREME COURT

Arthur A. McGiverin, Chief Justice
David K. Harris
Jerry L. Larson
Louis W. Schultz
James H. Carter
Louis A. Lavorato
Linda K. Newman
Bruce M. Snell, Jr.
James A. Andreasen

GENERAL ASSEMBLY

President of the Senate	Joe J. Welsh
President Pro Tem of the Senate	Jean Lloyd-Jones
Secretary of the Senate	John F. Dwyer
Speaker of the House	Robert C. Arnould
Speaker Pro Tem of the House	John H. Connors
Chief Clerk of the House	Joseph J. O'Hern

STATISTICS

Land Area (square miles)	55,875
Rank in Nation	23rd
Population	2,776,755
Rank in Nation	30th
Density per square mile	49.70
Number of Representatives in Congress	5
Capital City	Des Moines
Population	193,187
Rank in State	1st
Largest City	Des Moines
Number of Places over 10,000 Population	30

Kansas

Nickname	The Sunflower State
Motto	*Ad Astra per Aspera* (To the Stars through Difficulties)
Animal	American Buffalo
Flower	Wild Native Sunflower
Bird	Western Meadowlark
Tree	Cottonwood
Song	*Home on the Range*
Reptile	Ornate Box Turtle
Insect	Honeybee
Entered the Union	January 29, 1861
Capital	Topeka

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Joan Finney
Lieutenant Governor	James L. Francisco
Secretary of State	Bill Graves
Attorney General	Robert T. Stephan
Treasurer	Sally Thompson
Commr. of Insurance	Ronald L. Todd

SUPREME COURT

Richard W. Holmes, Chief Justice
Kay McFarland
Harold S. Herd
Tyler C. Lockett
Donald L. Allegrucci
Frederick N. Six
Bob Abbott

LEGISLATURE

President of the Senate	Paul Burke
Vice President of the Senate	Eric Yost
Secretary of the Senate	Pat Saville
Speaker of the House	Marvin Barkis
Speaker Pro Tem of the House	Bill Reardon
Chief Clerk of the House	Janet E. Jones

STATISTICS

Land Area (square miles)	81,823
Rank in Nation	13th
Population	2,477,574
Rank in Nation	32nd
Density per square mile	30.28
Number of Representatives in Congress	4
Capital City	Topeka
Population	119,883
Rank in State	3rd
Largest City	Wichita
Population	304,011
Number of Places over 10,000 Population	34

Kentucky

Nickname	The Bluegrass State
Motto	*United We Stand, Divided We Fall*
Animal	Gray Squirrel
Flower	Goldenrod
Bird	Cardinal
Tree	Kentucky Coffee Tree
Song	*My Old Kentucky Home*
Fossil	Brachiopod
Fish	Kentucky Bass
Entered the Union	June 1, 1792
Capital	Frankfort

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Brereton C. Jones
Lieutenant Governor	Paul Patton
Secretary of State	Bob Babbage
Attorney General	Chris Gorman
Treasurer	Frances Jones Mills
Auditor of Public Accounts	Ben Chandler
Supt. of Public Instruction	John Stephenson
Commr. of Agriculture	Ed Logsdon

SUPREME COURT

Robert F. Stephens, Chief Justice
Thomas B. Spain
Charles H. Reynolds
Joseph E. Lambert
Charles M. Leibson
Donald C. Wintersheimer
Dan Jack Combs

GENERAL ASSEMBLY

President of the Senate	Lt. Gov. Paul Patton
President Pro Tem of the Senate	John A. Rose
Chief Clerk of the Senate	Julie Haviland
Speaker of the Assembly	Donald J. Blandford
Speaker Pro Tem of the Assembly	Pete Worthington
Chief Clerk of the House	Evelyn Marston

STATISTICS

Land Area (square miles)	39,732
Rank in Nation	36th
Population	3,685,296
Rank in Nation	23rd
Density per square mile	92.75
Number of Representatives in Congress	6
Capital City	Frankfort
Population	25,968
Rank in State	8th
Largest City	Louisville
Population	269,063
Number of Places over 10,000 Population	39

Louisiana

Nickname	The Pelican State
Motto	*Union, Justice and Confidence*
Flower	Magnolia
Bird	Eastern Brown Pelican
Tree	Bald Cypress
Song	*Give Me Louisiana* and *You Are My Sunshine*
Crustacean	Crawfish
Dog	Catahoula Leopard
Entered the Union	April 30, 1812
Capital	Baton Rouge

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Edwin Edwards
Lieutenant Governor	Melinda Schwegmann
Secretary of State	W. Fox McKeithen
Attorney General	Richard Ieyoub
Treasurer	Mary L. Landrieu
Commr. of Agriculture	Bob Odom
Commr. of Insurance	Jim Brown
Commr. of Elections	Jerry M. Fowler

SUPREME COURT

Pascal F. Calogero Jr., Chief Justice
Walter F. Marcus Jr.
James L. Dennis
Jack Crozier Watson
Harry T. Lemmon
Luther F. Cole
Pike Hall Jr.

LEGISLATURE

President of the Senate	Samuel B. Nunez Jr.
President Pro Tem of the Senate	Dennis Bagneris
Secretary of the Senate	Michael S. Baer III
Speaker of the House	John Alario Jr.
Speaker Pro Tem of the House	Sherman Copelin
Clerk of the House	Alfred W. Speer

STATISTICS

Land Area (square miles)	43,566
Rank in Nation	33rd
Population	4,219,973
Rank in Nation	21st
Density per square mile	96.86
Number of Representatives in Congress	7
Capital City	Baton Rouge
Population	219,531
Rank in State	2nd
Largest City	New Orleans
Population	496,938
Number of Places over 10,000 Population	45

Maine

Nickname	The Pine Tree State
Motto	*Dirigo* (I Direct)
Animal	Moose
Flower	White Pine Cone and Tassel
Bird	Chickadee
Tree	White Pine
Song	*State of Maine Song*
Fish	Landlocked Salmon
Mineral	Tourmaline
Entered the Union	March 15, 1820
Capital	Augusta

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	John R. McKernan Jr.

SUPREME JUDICIAL COURT

Vincent L. McKusick, Chief Justice
David G. Roberts
Daniel E. Wathen
Caroline D. Glassman
Robert W. Clifford
Samuel W. Collins Jr.
Morton A. Brody

LEGISLATURE

President of the Senate	Charles P. Pray
Secretary of the Senate	Joy J. O'Brien
Speaker of the House	John L. Martin
Clerk of the House	Edwin H. Pert

STATISTICS

Land Area (square miles)	30,865
Rank in Nation	39th
Population	1,227,928
Rank in Nation	38th
Density per square mile	39.78
Number of Representatives in Congress	2
Capital City	Augusta
Population	21,325
Rank in State	6th
Largest City	Portland
Population	64,358
Number of Places over 10,000 Population	19

Maryland

Nicknames	The Old Line State and Free State
Motto	*Fatti Maschii, Parole Femine* (Manly Deeds, Womanly Words)
Flower	Black-eyed Susan
Bird	Baltimore Oriole
Tree	White Oak
Song	*Maryland, My Maryland*
Dog	Chesapeake Bay Retriever
Boat	The Skipjack
Fish	Striped Bass
Entered the Union	April 28, 1788
Capital	Annapolis

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	William Donald Schaefer
Lieutenant Governor	Melvin A. Steinberg
Attorney General	J. Joseph Curran Jr.
Comptroller of Treasury	Louis L. Goldstein

COURT OF APPEALS

Robert C. Murphy, Chief Judge
John C. Eldridge
Lawrence F. Rodowsky
John F. McAuliffe
Howard S. Chasanow
Robert L. Karwacki
Robert M. Bell

GENERAL ASSEMBLY

President of the Senate	Thomas V. Mike Miller Jr.
President Pro Tem of the Senate	Frederick C. Malkus Jr.
Secretary of the Senate	Oden Bowie
Speaker of the House	R. Clayton Mitchell Jr.
Speaker Pro Tem of the House	Nancy K. Kopp
Chief Clerk of the House	Jacqueline M. Spell

STATISTICS

Land Area (square miles)	9,775
Rank in Nation	42nd
Population	4,781,468
Rank in Nation	19th
Density per square mile	489.17
Number of Representatives in Congress	8
Capital City	Annapolis
Population	33,187
Rank in State	22nd
Largest City	Baltimore
Population	736,014
Number of Places over 10,000 Population	99

Massachusetts

Nickname	The Bay State
Motto	*Ense Petit Placidam Sub Libertate Quietem* (By the Sword We Seek Peace, but Peace Only under Liberty)
Animal	Morgan Horse
Flower	Mayflower
Bird	Chickadee
Tree	American Elm
Song	*All Hail to Massachusetts*
Fish	Cod
Insect	Ladybug
Dog	Boston Terrier
Beverage	Cranberry Juice
Gem	Rhodenite
Mineral	Babingtonite
Entered the Union	February 6, 1788
Capital	Boston

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	William F. Weld
Lieutenant Governor	Argeo Paul Cellucci
Secretary of the Commonwealth	Michael J. Connolly
Attorney General	L. Scott Harshbarger
Treasurer & Receiver General	Joseph Malone
Auditor of the Commonwealth	A. Joseph DeNucci

SUPREME JUDICIAL COURT

Paul J. Liacos, Chief Justice
Herbert P. Wilkins
Ruth I. Abrams
Joseph R. Nolan
Neil L. Lynch
Francis P. O'Connor
John M. Greaney

GENERAL COURT

President of the Senate	William M. Bulger
Clerk of the Senate	Edward B. O'Neill
Speaker of the House	Charles F. Flaherty
Clerk of the House	Robert E. MacQueen

STATISTICS

Land Area (square miles)	7,838
Rank in Nation	45th
Population	6,016,425
Rank in Nation	13th
Density per square mile	767.60
Number of Representatives in Congress	10
Capital City	Boston
Population	574,283
Rank in State	1st
Largest City	Boston
Number of Places over 10,000 Population	170

Michigan

Nicknames	The Wolverine State and Great Lake State
Motto	*Si Quaeris Peninsulam Amoenam Circumspice* (If You Seek a Pleasant Peninsula, Look About You)
Flower	Apple Blossom
Bird	Robin
Tree	White Pine
Stone	Petoskey Stone
Gem	Chlorastrolite
Fish	Brook Trout
Entered the Union	January 26, 1837
Capital	Lansing

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	John Engler
Lieutenant Governor	Connie Binsfeld
Secretary of State	Richard H. Austin
Attorney General	Frank J. Kelley

SUPREME COURT

Michael F. Cavanagh, Chief Justice
Patricia J. Boyle
James H. Brickley
Robert Griffin
Charles L. Levin
Conrad L. Mallett Jr.
Dorothy Comstock Riley

LEGISLATURE

President of the Senate	Lt. Gov. Connie Binsfeld
President Pro Tem of the Senate	Vernon J. Ehlers
Secretary of the Senate	Willis H. Snow
Speaker of the House	Lewis N. Dodak
Speaker Pro Tem of the House	Teola P. Hunter
Clerk of the House	David H. Evans

STATISTICS

Land Area (square miles)	56,809
Rank in Nation	22rd
Population	9,295,297
Rank in Nation	8th
Density per square mile	163.62
Number of Representatives in Congress	16
Capital City	Lansing
Population	127,321
Rank in State	5th
Largest City	Detroit
Population	1,027,974
Number of Places over 10,000 Population	110

Minnesota

Nickname	The North Star State
Motto	*L'Etoile du Nord* (The Star of the North)
Flower	Pink and White Lady's-Slipper
Bird	Common Loon
Tree	Red Pine
Song	*Hail! Minnesota*
Fish	Walleye
Grain	Wild Rice
Mushroom	Morel
Entered the Union	May 11, 1858
Capital	St. Paul

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Arne Carlson
Lieutenant Governor	Joanell Dyrstad
Secretary of State	Joan Anderson Growe
Attorney General	Hubert H. Humphrey III
Treasurer	Michael A. McGrath
Auditor	Mark Dayton

SUPREME COURT

Alexander M. Keith, Chief Justice
Lawrence R. Yetka
Rosalie E. Wahl
John E. Simonett
M. Jeanne Coyne
Esther M. Tomljanovich
Sandra S. Gardebring

LEGISLATURE

President of the Senate	Jerome M. Hughes
Secretary of the Senate	Patrick E. Flahaven
Speaker of the House	Dee Long
Speaker Pro Tem of the House	Richard Krueger
Chief Clerk of the House	Edward A. Burdick

STATISTICS

Land Area (square miles)	79,617
Rank in Nation	14th
Population	4,375,099
Rank in Nation	20th
Density per square mile	54.95
Number of Representatives in Congress	8
Capital City	St. Paul
Population	272,235
Rank in State	2nd
Largest City	Minneapolis
Population	368,383
Number of Places over 10,000 Population	73

Mississippi

Nickname	The Magnolia State
Motto	*Virtute et Armis* (By Valor and Arms)
Animal	White-tailed deer
Flower	Magnolia
Bird	Mockingbird
Water Mammal	Bottlenosed Dolphin
Tree	Magnolia
Song	*Go, Mississippi*
Fish	Black Bass
Beverage	Milk
Entered the Union	December 10, 1817
Capital	Jackson

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Kirk Fordice
Lieutenant Governor	Eddie Briggs
Secretary of State	Dick Molpus
Attorney General	Mike Moore
Treasurer	Marshall Bennett
Auditor of Public Accounts	Steve Patterson
Commr. of Agriculture and Commerce	Jim Buck Ross
Commr. of Insurance	George Dale

SUPREME COURT

Roy Noble Lee, Chief Justice
Armis E. Hawkins
Dan M. Lee
Lenore L. Prather
James Robertson
Michael Sullivan
Fred Banks Jr.
Ed Pittman

LEGISLATURE

President of the Senate	Lt. Gov. Eddie Briggs
President Pro Tem of the Senate	Ollie Mohamed
Secretary of the Senate	Hugh Barkley
Speaker of the House	Tim Ford
Speaker Pro Tem of the House	Robert Clark Jr.
Clerk of the House	Charles L. Jackson Jr.

STATISTICS

Land Area (square miles)	46,914
Rank in Nation	31st
Population	2,573,216
Rank in Nation	31st
Density per square mile	54.85
Number of Representatives in Congress	5
Capital City	Jackson
Population	196,637
Rank in State	1st
Largest City	Jackson
Number of Places over 10,000 Population	34

Missouri

Nickname	The Show Me State
Motto	*Salus Populi Suprema Lex Esto* (The Welfare of the People Shall Be the Supreme Law)
Flower	White Hawthorn
Bird	Bluebird
Insect	Honeybee
Tree	Flowering Dogwood
Song	*Missouri Waltz*
Rock	Mozarkite
Mineral	Galena
Fossil	Crinoid
Entered the Union	August 10, 1821
Capital	Jefferson City

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	John Ashcroft
Lieutenant Governor	Mel Carnahan
Secretary of State	Roy D. Blunt
Attorney General	William L. Webster
Treasurer	Wendell Bailey
Auditor	Margaret B. Kelly

SUPREME COURT

Edward D. Robertson Jr., Chief Justice
William H. Billings
Charles B. Blackmar
Andrew J. Higgins
Albert L. Rendlen
Ann K. Covington
John C. Holstein

GENERAL ASSEMBLY

President of the Senate	Lt. Gov. Mel Carnahan
President Pro Tem of the Senate	James L. Mathewson
Secretary of the Senate	Terry L. Spieler
Speaker of the House	Robert F. Griffin
Speaker Pro Tem of the House	James Barnes
Chief Clerk of the House	Douglas W. Burnett

STATISTICS

Land Area (square miles)	68,898
Rank in Nation	18th
Population	5,117,073
Rank in Nation	15th
Density per square mile	74.27
Number of Representatives in Congress	9
Capital City	Jefferson City
Population	35,481
Rank in State	13th
Largest City	St. Louis
Population	435,146
Number of Places over 10,000 Population	64

Montana

Nickname	The Treasure State
Motto	*Oro y Plata* (Gold and Silver)
Animal	Grizzly Bear
Flower	Bitterroot
Bird	Western Meadowlark
Tree	Ponderosa Pine
Song	*Montana*
State Ballad	*Montana Melody*
Gem stones	Sapphire and Agate
State Fossil	Duck-billed Dinosaur
Entered the Union	November 8, 1889
Capital	Helena

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Stan Stephens
Lieutenant Governor	Dennis Rehberg
Secretary of State	Mike Cooney
Attorney General	Marc Racicot
Auditor	Andrea Bennett
Supt. of Public Instruction	Nancy Keenan

SUPREME COURT

Jean Turnage, Chief Justice
John C. Harrison
Fred J. Weber
William E. Hunt
R.C. McDonough
Terry Trieweiler
Karla M. Gray

LEGISLATURE

President of the Senate	Joseph P. Mazurek
President Pro Tem of the Senate	J.D. Lynch
Secretary of the Senate	David L. Hunter
Speaker of the House	Hal Harper
Speaker Pro Tem of the House	Dave Brown
Chief Clerk of the House	Joyce Andrus

STATISTICS

Land Area (square miles)	145,556
Rank in Nation	4th
Population	799,065
Rank in Nation	44th
Density per square mile	5.49
Number of Representatives in Congress	1
Capital City	Helena
Population	24,569
Rank in State	5th
Largest City	Billings
Population	81,151
Number of Places over 10,000 Population	10

Nebraska

Nickname	The Cornhusker State
Motto	*Equality Before the Law*
Mammal	White-tailed Deer
Flower	Goldenrod
Bird	Western Meadowlark
Tree	Western Cottonwood
Song	*Beautiful Nebraska*
Insect	Honeybee
Gemstone	Blue Agate
Entered the Union	March 1, 1867
Capital	Lincoln

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	E. Benjamin Neison
Lieutenant Governor	Maxine Moul
Secretary of State	Allen J. Beermann
Attorney General	Don Stenberg
Treasurer	Dawn E. Rockey
Auditor of Public Accounts	John Brewslow

SUPREME COURT

William C. Hastings, Chief Justice
Leslie Boslaugh
C. Thomas White
D. Nick Caporale
Thomas M. Shanahan
John T. Grant
Dale E. Fahrenbruch

UNICAMERAL LEGISLATURE

President of the Legislature	Lt. Gov. Maxine Moul
Speaker of the Legislature	Dennis G. Baack
Chairman of Executive Board, Legislative Council	Jerome Warner
Vice Chairman of Executive Board, Legislative Council	John Lindsay
Clerk of the Legislature	Patrick J. O'Donnell

STATISTICS

Land Area (square miles)	76,878
Rank in Nation	15th
Population	1,578,385
Rank in Nation	36th
Density per square mile	20.53
Number of Representatives in Congress	3
Capital City	Lincoln
Population	191,972
Rank in State	2nd
Largest City	Omaha
Population	335,795
Number of Places over 10,000 Population	14

Nevada

Nickname	The Silver State
Motto	*All for Our Country*
Animal	Desert Bighorn Sheep
Flower	Sagebrush
Bird	Mountain Bluebird
Tree	Bristlecone Pine and Single-leaf Pinon
Song	*Home Means Nevada*
Fish	Lahontan Cutthroat Trout
Fossil	Ichthyosaur
Entered the Union	October 31, 1864
Capital	Carson City

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Robert J. Miller
Lieutenant Governor	Sue Wagner
Secretary of State	Cheryl Lau
Attorney General	Frankie Sue Del Papa
Treasurer	Bob Seale
Controller	Darrel R. Daines

SUPREME COURT

John C. Mowbray, Chief Justice
Charles E. Springer
Robert E. Rose
Thomas L. Steffen
Cliff Young

LEGISLATURE

President of the Senate	Lt. Gov. Sue Wagner
President Pro Tem of the Senate	Joseph M. Neal Jr.
Secretary of the Senate	Janice L. Thomas
Speaker of the Assembly	Joseph E. Dini Jr.
Speaker Pro Tem of the Assembly	Myrna T. Williams
Chief Clerk of the Assembly	Mouryne B. Landing

STATISTICS

Land Area (square miles)	109,806
Rank in Nation	7th
Population	1,201,833
Rank in Nation	39th
Density per square mile	10.95
Number of Representatives in Congress	2
Capital City	Carson City
Population	40,443
Rank in State	9th
Largest City	Las Vegas
Population	258,295
Number of Places over 10,000 Population	14

New Hampshire

Nickname	The Granite State
Motto	*Live Free or Die*
Animal	White-tailed Deer
Flower	Purple Lilac
Bird	Purple Finch
Tree	White Birch
Song	*Old New Hampshire*
Insect	Ladybug
Gem	Smoky Quartz
Entered the Union	June 21, 1788
Capital	Concord

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Judd Gregg

SUPREME COURT

David A. Brock, Chief Justice
William F. Batchelder
William R. Johnson
W. Stephen Thayer III
Sherman D. Horton Jr.

GENERAL COURT

President of the Senate	Edward C. Dupont Jr.
President Pro Tem of the Senate	Eleanor P. Podles
Clerk of the Senate	Gloria M. Randlett
Speaker of the House	Harold W. Burns
Deputy Speaker of the House	Michael Hill
Chief Clerk of the House	James A. Chandler

STATISTICS

Land Area (square miles)	8,969
Rank in Nation	44th
Population	1,109,252
Rank in Nation	40th
Density per square mile	123.67
Number of Representatives in Congress	2
Capital City	Concord
Population	36,006
Rank in State	3rd
Largest City	Manchester
Population	99,567
Number of Places over 10,000 Population	24

New Jersey

Nickname	The Garden State
Motto	*Liberty and Prosperity*
Animal	Horse
Flower	Violet
Bird	Eastern Goldfinch
Tree	Red Oak
Insect	Honeybee
Entered the Union	December 18, 1787
Capital	Trenton

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	James F. Florio

SUPREME COURT

Robert N. Wilentz, Chief Justice
Robert L. Clifford
Alan B. Handler
Stewart G. Pollock
Daniel J. O'Hern
Marie L. Garibaldi
Gary S. Stein

LEGISLATURE

President of the Senate	Donald T. DiFrancesco
President Pro Tem of the Senate	John H. Ewing
Secretary of the Senate	Delores A. Kirk
Speaker of the Assembly	Garabed "Chuck" Haytaian
Speaker Pro Tem of the Assembly	Gerald Zecker
Clerk of the Assembly	Donna Frangakis

STATISTICS

Land Area (square miles)	7,419
Rank in Nation	46th
Population	7,730,188
Rank in Nation	9th
Density per square mile	1041.97
Number of Representatives in Congress	13
Capital City	Trenton
Population	88,675
Rank in State	5th
Largest City	Newark
Population	275,221
Number of Places over 10,000 Population	162

New Mexico

Nickname	The Land of Enchantment
Motto	*Crescit Eundo* (It Grows As It Goes)
Flower	Yucca (Our Lord's Candles)
Bird	Chaparral Bird
Tree	Pinon
Songs	*Asi es Nuevo Mexico* and *O, Fair New Mexico*
Gem	Turquoise
Fossil	Coelophysis Dinosaur
Animal	Black Bear
Entered the Union	January 6, 1912
Capital	Santa Fe

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Bruce King
Lieutenant Governor	Casey Luna
Secretary of State	Stephanie Gonzales
Attorney General	Tom Udall
Treasurer	David King
Auditor	Robert E. Vigil
Commr. of Public Land	Jim Baca

SUPREME COURT

Dan Sosa Jr., Chief Justice
Richard E. Ransom
Joseph F. Baca
Seth D. Montgomery
Gene E. Franchini

LEGISLATURE

President of the Senate	Lt. Gov. Casey Luna
President Pro Tem of the Senate	Manny M. Aragon
Chief Clerk of the Senate	Margaret Larragoite
Speaker of the House	Raymond G. Sanchez
Chief Clerk of the House	Stephen R. Arias

STATISTICS

Land Area (square miles)	121,364
Rank in Nation	5th
Population	1,515,069
Rank in Nation	37th
Density per square mile	12.48
Number of Representatives in Congress	3
Capital City	Santa Fe
Population	55,859
Rank in State	3rd
Largest City	Albuquerque
Population	384,736
Number of Places over 10,000 Population	19

New York

Nickname	The Empire State
Motto	*Excelsior* (Ever Upward)
Animal	American Beaver
Flower	Rose
Bird	Bluebird
Tree	Sugar Maple
Song*	*I Love New York*
Gem	Garnet
Fossil	Eurypterus remipes
Entered the Union	July 26, 1788
Capital	Albany

*unofficial

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Mario M. Cuomo
Lieutenant Governor	Stan Lundine
Attorney General	Robert Abrams
Comptroller	Edward V. Regan

COURT OF APPEALS

Sol Wachtler, Chief Judge
Richard D. Simons
Judith S. Kaye
Fritz W. Alexander II
Vito J. Titone
Stewart F. Hancock Jr.
Joseph W. Bellacosa

LEGISLATURE

President of the Senate	Lt. Gov. Stan Lundine
President Pro Tem of the Senate	Ralph J. Marino
Secretary of the Senate	Stephen Sloan
Speaker of the Assembly	Melvin H. Miller
Speaker Pro Tem of the Assembly	Vincent J. Graber Jr.
Clerk of the Assembly	Francine M. Misasi

STATISTICS

Land Area (square miles)	47,224
Rank in Nation	30th
Population	17,990,455
Rank in Nation	2nd
Density per square mile	380.96
Number of Representatives in Congress	31
Capital City	Albany
Population	101,082
Rank in State	6th
Largest City	New York City
Population	7,322,564
Number of Places over 10,000 Population	180

North Carolina

Nicknames	The Tar Heel State and Old North State
Motto	*Esse Quam Videri* (To Be Rather Than to Seem)
Flower	Dogwood
Bird	Cardinal
Tree	Long Leaf Pine
Song	*The Old North State*
Mammal	Grey Squirrel
Dog	Plott Hound
Beverage	Milk
Entered the Union	November 21, 1789
Capital	Raleigh

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	James G. Martin
Lieutenant Governor	James C. Gardner
Secretary of State	Rufus L. Edmisten
Attorney General	Lacy H. Thornburg
Treasurer	Harlan E. Boyles
Auditor	Edward Renfrow
Supt. of Public Instruction	Bob Etheridge
Commr. of Agriculture	James A. Graham
Commr. of Labor	John C. Brooks
Commr. of Insurance	James E. Long

SUPREME COURT

James G. Exum Jr., Chief Justice

Louis B. Meyer
Burley B. Mitchell Jr.
Henry E. Frye
John Webb
Willis P. Whichard
I. Beverly Lake Jr.

GENERAL ASSEMBLY

President of the Senate	Lt. Gov. James C. Gardner
President Pro Tem of the Senate	Henson P. Barnes
Principal Clerk of the Senate	Sylvia M. Fink

Speaker of the House	Daniel T. Blue Jr.
Speaker Pro Tem of the House	Marie W. Colton
Principal Clerk of the House	Grace Collins

STATISTICS

Land Area (square miles)	48,718
Rank in Nation	29th
Population	6,628,637
Rank in Nation	10th
Density per square mile	136.06
Number of Representatives in Congress	11
Capital City	Raleigh
Population	207,951
Rank in State	2nd
Largest City	Charlotte
Population	395,934
Number of Places over 10,000 Population	52

North Dakota

Nickname	Peace Garden State
Motto	*Liberty and Union, Now and Forever, One and Inseparable*
Flower	Wild Prairie Rose
Bird	Western Meadowlark
Tree	American Elm
Song	*North Dakota Hymn*
March	*Spirit of the Land*
Stone	Teredo Petrified Wood
Fish	Northern Pike
Entered the Union	November 2, 1889
Capital	Bismarck

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	George A. Sinner
Lieutenant Governor	Lloyd B. Omdahl
Secretary of State	James Kusler
Attorney General	Nicholas Spaeth
Treasurer	Robert Hanson
Auditor	Robert Peterson
Supt. of Public Instruction	Wayne Sanstead
Commr. of Agriculture	Sarah Vogel
Commr. of Labor	Craig Hagen
Commr. of Insurance	Earl Pomeroy
Tax Commissioner	Heidi Heitkamp

SUPREME COURT

Ralph J. Erickstad, Chief Justice
Gerald W. VandeWalle
Herbert L. Meschke
Beryl J. Levine
J. Philip Johnson

LEGISLATIVE ASSEMBLY

President of the Senate	Lt. Gov. Lloyd B. Omdahl
President Pro Tem of the Senate	James Dotzenrod
Secretary of the Senate	Marion Houn

Speaker of the House	Ronald A. Anderson
Chief Clerk of the House	Roy Gilbreath

STATISTICS

Land Area (square miles)	68,984
Rank in Nation	17th
Population	638,800
Rank in Nation	47th
Density per square mile	9.26
Number of Representatives in Congress	1
Capital City	Bismarck
Population	49,256
Rank in State	3rd
Largest City	Fargo
Population	74,111
Number of Places over 10,000 Population	9

Ohio

Nickname	The Buckeye State
Motto	*With God, All Things Are Possible*
Animal	White-tailed Deer
Flower	Scarlet Carnation
Bird	Cardinal
Tree	Buckeye
Song	*Beautiful Ohio*
Stone	Ohio Flint
Insect	Ladybug
Entered the Union	March 1, 1803
Capital	Columbus

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	George Voinovich
Lieutenant Governor	Michael De Wine
Secretary of State	Bob Taft
Attorney General	Lee Fisher
Treasurer	Mary Ellen Withrow
Auditor	Thomas E. Ferguson

SUPREME COURT

Thomas J. Moyer, Chief Justice
A. William Sweeney
Robert E. Holmes
Andrew Douglas
Craig Wright
Herbert R. Brown
Alice Robie Resnick

GENERAL ASSEMBLY

President of the Senate	Stanley J. Aronoff
President Pro Tem of the Senate	Richard H. Finan
Clerk of the Senate	Martha L. Butler
Speaker of the House	Vernal G. Riffe
Speaker Pro Tem of the House	Barney Quilter
Legislative Clerk of the House	Dean L. Johnson

STATISTICS

Land Area (square miles)	40,953
Rank in Nation	35th
Population	10,847,115
Rank in Nation	7th
Density per square mile	264.87
Number of Representatives in Congress	19
Capital City	Columbus
Population	632,910
Rank in State	1st
Largest City	Columbus
Number of Places over 10,000 Population	164

Oklahoma

Nickname	The Sooner State
Motto	*Labor Omnia Vincit* (Labor Conquers All Things)
Animal	American Buffalo
Flower	Mistletoe
Bird	Scissor-tailed Flycatcher
Tree	Redbud
Song	*Oklahoma*
Rock	Barite Rose (Rose Rock)
Grass	Indiangrass
Entered the Union	November 16, 1907
Capital	Oklahoma City

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	David Walters
Lieutenant Governor	Jack Mildren
Attorney General	Susan Loving
Treasurer	Claudette Henry
Auditor and Inspector	Clifton H. Scott
Supt. of Public Instruction	Sandy Garrett
Commr. of Labor	Dave Renfro
Insurance Commr.	Cathy Weatherford

SUPREME COURT

Marian Opala, Chief Justice
Ralph B. Hodges
Robert E. Lavendar
Robert D. Simms
John B. Doolin
Rudolph Hargrave
Alma Wilson
Yvonne Kauger
Hardy Summers

LEGISLATURE

President of the Senate	Lt. Gov. Jack Mildren
President Pro Tem of the Senate	Robert V. Cullison
Secretary of the Senate	Lance Ward
Speaker of the House	Glen D. Johnson
Speaker Pro Tem of the House	Jim Glover
Chief Clerk Administrator of the House	Larry Warden

STATISTICS

Land Area (square miles)	68,679
Rank in Nation	19th
Population	3,145,585
Rank in Nation	28th
Density per square mile	45.80
Number of Representatives in Congress	6
Capital City	Oklahoma City
Population	444,719
Rank in State	1st
Largest City	Oklahoma City
Number of Places over 10,000 Population	39

Oregon

Nickname	The Beaver State
Motto	*She Flies with Her Own Wings*
Animal	American Beaver
Flower	Oregon Grape
Bird	Western Meadowlark
Tree	Douglas Fir
Song	*Oregon, My Oregon*
Gemstone	Sunstone
Insect	Oregon Swallowtail Butterfly
Entered the Union	February 14, 1859
Capital	Salem

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Barbara Roberts
Secretary of State	Phil Keisling
Attorney General	Dave Frohnmayer
Treasurer	Tony Meeker
Supt. of Public Instruction	Norma Paulus
Labor Commr.	Mary W. Roberts

SUPREME COURT

Edwin J. Peterson, Chief Justice
Wallace P. Carson Jr.
W. Michael Gillette
George A. Van Hoomissen
Edward N. Fadeley
Richard L. Unis
Susan Graber

LEGISLATIVE ASSEMBLY

President of the Senate	John Kitzhaber
President Pro Tem of the Senate	Frank Roberts
Secretary of the Senate	Donna Merrill
Speaker of the House	Larry Campbell
Speaker Pro Tem of the House	Bill Markham
Chief Clerk of the House	Ramona Kenady

STATISTICS

Land Area (square miles)	96,003
Rank in Nation	10th
Population	2,842,321
Rank in Nation	29th
Density per square mile	29.61
Number of Representatives in Congress	5
Capital City	Salem
Population	107,786
Rank in State	3rd
Largest City	Portland
Population	437,319
Number of Places over 10,000 Population	43

Pennsylvania

Nickname	The Keystone State
Motto	*Virtue, Liberty and Independence*
Animal	White-tailed Deer
Flower	Mountain Laurel
Game Bird	Ruffed Grouse
Tree	Hemlock
Insect	Firefly
Fossil	Phacops rana
Entered the Union	December 12, 1787
Capital	Harrisburg

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Robert P. Casey
Lieutenant Governor	Mark S. Singel
Attorney General	Ernest D. Preate Jr.
Treasurer	Catherine Baker Knoll
Auditor	Barbara Hafer

SUPREME COURT

Robert N.C. Nix Jr., Chief Justice
Rolf Larsen
John P. Flaherty
James T. McDermott
Stephen A. Zappala
Nicholas P. Papadakos
Ralph Cappy

GENERAL ASSEMBLY

President of the Senate	Lt. Gov. Mark S. Singel
President Pro Tem of the Senate	Robert C. Jubelirer
Secretary of the Senate	Mark R. Corrigan
Speaker of the House	Robert W. O'Donnell
Chief Clerk of the House	John J. Zubeck

STATISTICS

Land Area (square miles)	44,820
Rank in Nation	33rd
Population	11,881,643
Rank in Nation	5th
Density per square mile	265.10
Number of Representatives in Congress	21
Capital City	Harrisburg
Population	52,376
Rank in State	9th
Largest City	Philadelphia
Population	1,585,577
Number of Places over 10,000 Population	101

Rhode Island

Nicknames	Little Rhody and Ocean State
Motto	*Hope*
Animal	Quahaug
Flower	Violet
Bird	Rhode Island Red
Tree	Red Maple
Song	*Rhode Island*
Rock	Cumberlandite
Mineral	Bowenite
Entered the Union	May 29, 1790
Capital	Providence

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Bruce G. Sundlun
Lieutenant Governor	Roger N. Begin
Secretary of State	Kathleen S. Connell
Attorney General	James E. O'Neil
Treasurer	Anthony J. Solomon

SUPREME COURT

Thomas F. Fay, Chief Justice
Thomas F. Kelleher
Joseph R. Weisberger
Florence K. Murray
Donald F. Shea

GENERAL ASSEMBLY

President of the Senate	Lt. Gov. Roger N. Begin
President Pro Tem of the Senate	John F. Correia
Secretary of the Senate	Secretary of State Kathleen S. Connell
Speaker of the House	Joseph DeAngelis
Speaker Pro Tem of the House	Alfred W. Cardente
Reading Clerk of the House	Eugene J. McMahon

STATISTICS

Land Area (square miles)	1,045
Rank in Nation	50th
Population	1,003,464
Rank in Nation	43rd
Density per square mile	960.27
Number of Representatives in Congress	2
Capital City	Providence
Population	160,728
Rank in State	1st
Largest City	Providence
Number of Places over 10,000 Population	31

South Carolina

Nickname	The Palmetto State
Mottos	*Animis Opibusque Parati* (Prepared in Mind and Resources) and *Dum Spiro Spero* (While I Breathe, I Hope)
Animal	White-tailed Deer
Flower	Yellow Jessamine
Bird	Carolina Wren
Tree	Palmetto
Song	*Carolina and South Carolina on My Mind*
Stone	Blue Granite
Fish	Striped Bass
Entered the Union	May 23, 1788
Capital	Columbia

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Carroll A. Campbell Jr.
Lieutenant Governor	Nick A. Theodore
Secretary of State	Jim Miles
Attorney General	T. Travis Medlock
Treasurer	Grady L. Patterson Jr.
Comptroller General	Earle E. Morris Jr.
Supt. of Education	Barbara Nielsen
Commr. of Agriculture	D. Leslie Tindal
Adjutant General	T. Eston Marchant

SUPREME COURT

David W. Harwell, Chief Justice
A. Lee Chandler
Ernest A. Finney Jr.
Jean Hoeter Toal
James E. Moore

GENERAL ASSEMBLY

President of the Senate	Lt. Gov. Nick A. Theodore
President Pro Tem of the Senate	Marshall Burns Williams
Clerk of the Senate	Frank B. Caggiano
Speaker of the House	Robert J. Sheheen
Speaker Pro Tem of the House	David M. Beasley
Clerk of the House	Sandra K. McKinney

STATISTICS

Land Area (square miles)	30,111
Rank in Nation	40th
Population	3,486,703
Rank in Nation	25th
Density per square mile	115.79
Number of Representatives in Congress	6
Capital City	Columbia
Population	98,052
Rank in State	1st
Largest City	Columbia
Number of Places over 10,000 Population	39

South Dakota

Nicknames	The Coyote State and The Sunshine State
Motto	*Under God the People Rule*
Animal	Coyote
Flower	American Pasque
Bird	Ringnecked Pheasant
Tree	Black Hills Spruce
Song	*Hail, South Dakota*
Mineral	Rose Quartz
Fish	Walleye
Insect	Honeybee
Grass	Western Wheat Grass
Entered the Union	November 2, 1889
Capital	Pierre

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	George S. Mickelson
Lieutenant Governor	Walter D. Miller
Secretary of State	Joyce Hazeltine
Attorney General	Mark Barnett
Treasurer	Homer Harding
Auditor	Vernon L. Larson
Commr. of School and Public Lands	Curtis Johnson

SUPREME COURT

Robert A. Miller, Chief Justice
George Wuest
Frank E. Henderson
Richard Sabers
Robert A. Amundson

LEGISLATURE

President of the Senate	Lt. Gov. Walter D. Miller
President Pro Tem of the Senate	Harold W. Halverson
Secretary of the Senate	Fee Jacobsen
Speaker of the House	Jim Hood
Speaker Pro Tem of the House	Steve K. Cutler
Chief Clerk of the House	Karen Gerdes

STATISTICS

Land Area (square miles)	75,898
Rank in Nation	16th
Population	696,004
Rank in Nation	45th
Density per square mile	9.17
Number of Representatives in Congress	1
Capital City	Pierre
Population	12,906
Rank in State	7th
Largest City	Sioux Falls
Population	100,814
Number of Places over 10,000 Population	10

Tennessee

Nickname	The Volunteer State
Motto	*Agriculture and Commerce*
Animal	Raccoon
Flower	Iris
Bird	Mockingbird
Tree	Tulip Poplar
Wildflower	Passion Flower
Songs	*When It's Iris Time in Tennessee; The Tennessee Waltz; My Homeland, Tennessee; My Tennessee;* and *Rocky Top*
Insects	Lady beetle and Firefly
Gem	Freshwater Pearl
Rocks	Limestone and Agate
Entered the Union	June 1, 1796
Capital	Nashville

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Ned McWherter

SUPREME COURT

Lyle Reid, Chief Justice
Frank F. Drowota III
Charles H. O'Brien
Martha C. Daughtrey
E. Riley Anderson

GENERAL ASSEMBLY

Speaker of the Senate	Lt. Gov. John S. Wilder
Speaker Pro Tem of the Senate	Robert Rochelle
Chief Clerk of the Senate	Clyde W. McCullough
Speaker of the House	Jimmy Naifeh
Speaker Pro Tem of the House	Lois M. DeBerry
Chief Clerk of the House	Larry Cole

STATISTICS

Land Area (square miles)	41,220
Rank in Nation	34th
Population	4,877,185
Rank in Nation	17th
Density per square mile	118.32
Number of Representatives in Congress	9
Capital City	Nashville
Population	488,374
Rank in State	2nd
Largest City	Memphis
Population	610,337
Number of Places over 10,000 Population	44

Texas

Nickname	The Lone Star State
Motto	*Friendship*
Flower	Bluebonnet (Buffalo Clover, Wolf Flower)
Bird	Mockingbird
Tree	Pecan
Song	*Texas, Our Texas*
Stone	Petrified Palmwood
Gem	Texas Blue Topaz
Grass	Side Oats Grama
Dish	Chili
Seashell	Lightning Whelk
Fish	Guadalape Bass
Entered the Union	December 29, 1845
Capital	Austin

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Ann W. Richards
Lieutenant Governor	Bob Bullock
Attorney General	Dan Morales
Treasurer	Kay Bailey Hutchison
Comptroller of Public Accounts	John Sharp
Commr. of Agriculture	Rick Perry
Commr. of General Land Office	Garry Mauro

SUPREME COURT

Thomas R. Phillips, Chief Justice

Raul A. Gonzalez
Oscar H. Mauzy
Eugene H. Cook
Jack Hightower
Nathan L. Hecht
Lloyd Doggett
John Cornyn
Robert A. Gammage

COURT OF CRIMINAL APPEALS

Michael J. McCormick, Presiding Judge

Sam Houston Clinton
Charles Miller
Charles F. Campbell
Bill White
Charles Baird
Morris Overstreet
Frank Maloney

LEGISLATURE

President of the Senate	Lt. Gov. Bob Bullock
President Pro Tem of the Senate	Bob Glasgow
Secretary of the Senate	Betty King
Speaker of the House	Gibson D. Lewis
Speaker Pro Tem of the House	Wilhelmina R. Delco
Chief Clerk of the House	Betty Murray

STATISTICS

Land Area (square miles)	261,914
Rank in Nation	2nd
Population	16,986,510
Rank in Nation	3rd
Density per square mile	64.86
Number of Representatives in Congress	27
Capital City	Austin
Population	465,622
Rank in State	5th
Largest City	Houston
Population	1,630,553
Number of Places over 10,000 Population	182

Utah

Nickname	The Beehive State
Motto	*Industry*
Flower	Sego Lily
Animal	Rocky Mountain Elk
Bird	California Seagull
Tree	Blue Spruce
Fish	Rainbow Trout
Song	*Utah, We Love Thee*
Gem	Topaz
Insect	Honeybee
Entered the Union	January 4, 1896
Capital	Salt Lake City

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Norman Bangerter
Lieutenant Governor	W. Val Oveson
Attorney General	R. Paul Van Dam
Treasurer	Edward T. Alter
Auditor	Tom L. Allen

SUPREME COURT

Gordon R. Hall, Chief Justice
Richard C. Howe
I. Daniel Stewart
Christine M. Durham
Michael D. Zimmerman

LEGISLATURE

President of the Senate	Arnold Christensen
Secretary of the Senate	M. Eugene Bridges
Speaker of the House	H. Craig Moody
Chief Clerk of the House	Carole E. Peterson

STATISTICS

Land Area (square miles)	82,168
Rank in Nation	12th
Population	1,722,850
Rank in Nation	35th
Density per square mile	20.97
Number of Representatives in Congress	3
Capital City	Salt Lake City
Population	159,936
Rank in State	1st
Largest City	Salt Lake City
Number of Places over 10,000 Population	39

Vermont

Nickname	The Green Mountain State
Motto	*Freedom and Unity*
Animal	Morgan Horse
Flower	Red Clover
Bird	Hermit Thrush
Tree	Sugar Maple
Song	*Hail, Vermont!*
Insect	Honeybee
Beverage	Milk
Entered the Union	March 4, 1791
Capital	Montpelier

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Howard Dean
Lieutenant Governor	Vacant until next election — Nov. 1992
Secretary of State	James H. Douglas
Attorney General	Jeffrey L. Amestoy
Treasurer	Paul W. Ruse Jr.
Auditor of Accounts	Alexander V. Acebo

SUPREME COURT

Frederic W. Allen, Chief Justice
Ernest W. Gibson III
John A. Dooley
James L. Morse
Denise Johnson

GENERAL ASSEMBLY

President of the Senate	President Pro Tem serves as presiding officer until Lieutenant Governor position is filled
President Pro Tem of the Senate	Douglas A. Racine
Secretary of the Senate	Robert H. Gibson
Speaker of the House	Ralph G. Wright
Clerk of the House	Robert L. Picher

STATISTICS

Land Area (square miles)	9,249
Rank in Nation	43rd
Population	562,758
Rank in Nation	48th
Density per square mile	60.84
Number of Representatives in Congress	1
Capital City	Montpelier
Population	8,247
Rank in State	13th
Largest City	Burlington
Population	39,127
Number of Places over 10,000 Population	7

Virginia

Nickname	The Old Dominion
Motto	*Sic Semper Tyrannis* (Thus Always to Tyrants)
Animal	Foxhound
Flower	Dogwood
Bird	Cardinal
Tree	Dogwood
Song	*Carry Me Back to Old Virginia*
Shell	Oyster
Entered the Union	June 25, 1788
Capital	Richmond

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	L. Douglas Wilder
Lieutenant Governor	Donald Sternoff Beyer Jr.
Attorney General	Mary Sue Terry

SUPREME COURT

Harry Lee Carrico, Chief Justice
A. Christian Compton
Roscoe B. Stephenson Jr.
Charles S. Russell
Henry H. Whiting
Elizabeth B. Lacy
Leroy R. Hassell

GENERAL ASSEMBLY

President of the Senate	Lt. Gov. Donald S. Beyer Jr.
President Pro Tem of the Senate	Stanley C. Walker
Clerk of the Senate	Susan Clarke Schaar
Speaker of the House	Thomas Moss
Clerk of the House	Joseph H. Holleman Jr.

STATISTICS

Land Area (square miles)	39,598
Rank in Nation	37th
Population	6,187,358
Rank in Nation	12th
Density per square mile	156.26
Number of Representatives in Congress	11
Capital City	Richmond
Population	203,056
Rank in State	3rd
Largest City	Virginia Beach
Population	393,069
Number of Places over 10,000 Population	76

Washington

Nickname	The Evergreen State
Motto	*Alki* (Chinook Indian word meaning By and By)
Flower	Coast Rhododendron
Bird	Willow Goldfinch
Tree	Western Hemlock
Song	*Washington, My Home*
Dance	Square Dance
Gem	Petrified Wood
Entered the Union	November 11, 1889
Capital	Olympia

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Booth Gardner
Lieutenant Governor	Joel Pritchard
Secretary of State	Ralph Munro
Attorney General	Kenneth O. Eikenberry
Treasurer	Dan Grimm
Auditor	Robert V. Graham
Supt. of Public Instruction	Judith Billings
Insurance Commr.	Richard G. Marquardt
Commr. of Public Lands	Brian J. Boyle

SUPREME COURT

Fred H. Dore, Chief Justice

Robert F. Utter
Robert F. Brachtenbach
James M. Dolliver
James A. Anderson
Barbara Durham
Charles Smith
Richard Guy
Charles W. Johnson

LEGISLATURE

President of the Senate	Lt. Gov. Joel Pritchard
President Pro Tem of the Senate	Ellen Craswell
Secretary of the Senate	Gordon A. Golob
Speaker of the House	Joseph E. King
Speaker Pro Tem of the House	John O'Brien
Chief Clerk of the House	Alan Thompson

STATISTICS

Land Area (square miles)	66,582
Rank in Nation	20th
Population	4,866,692
Rank in Nation	18th
Density per square mile	73.09
Number of Representatives in Congress	9
Capital City	Olympia
Population	33,840
Rank in State	18th
Largest City	Seattle
Population	516,259
Number of Places over 10,000 Population	82

West Virginia

Nickname	The Mountain State
Motto	*Montani Semper Liberi* (Mountaineers Are Always Free)
Animal	Black Bear
Flower	Big Laurel
Bird	Cardinal
Tree	Sugar Maple
Songs	*West Virginia, My Home Sweet Home; The West Virginia Hills;* and *This Is My West Virginia*
Fruit	Apple
Fish	Brook Trout
Entered the Union	June 20, 1863
Capital	Charleston

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	W. Gaston Caperton III
Secretary of State	Ken Hechler
Attorney General	Mario Palumbo
Treasurer	Larrie Bailey
Auditor	Glen B. Gainer Jr.
Commr. of Agriculture	Cleve Benedict

SUPREME COURT OF APPEALS

Thomas B. Miller, Chief Justice
Richard Neely
Thomas E. McHugh
W.T. Brotherton Jr.
Margaret Workman

LEGISLATURE

President of the Senate	Keith Burdette
President Pro Tem of the Senate	William R. Sharpe Jr.
Clerk of the Senate	Darrell E. Holmes
Speaker of the House	Robert Chambers
Speaker Pro Tem of the House	W.E. Anderson
Clerk of the House	Donald L. Kopp

STATISTICS

Land Area (square miles)	24,087
Rank in Nation	41st
Population	1,793,477
Rank in Nation	34th
Density per square mile	74.46
Number of Representatives in Congress	3
Capital City	Charleston
Population	57,287
Rank in State	1st
Largest City	Charleston
Number of Places over 10,000 Population	16

Wisconsin

Nickname*	The Badger State
Motto	*Forward*
Animal	Badger
Flower	Wood Violet
Bird	Robin
Tree	Sugar Maple
Song	*On, Wisconsin!*
Fish	Muskellunge
Mineral	Galena
Entered the Union	May 29, 1848
Capital	Madison

*unofficial

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Tommy G. Thompson
Lieutenant Governor	Scott McCallum
Secretary of State	Douglas J. La Follette
Attorney General	James Doyle
Treasurer	Cathy Zeuske
Supt. of Public Instruction	Herbert J. Grover

SUPREME COURT

Nathan S. Heffernan, Chief Justice
Ronald B. Day
Shirley S. Abrahamson
William G. Callow
Donald W. Steinmetz
Louis J. Ceci
William A. Bablitch

LEGISLATURE

President of the Senate	Fred A. Risser
Chief Clerk of the Senate	Donald J. Schneider

Speaker of the Assembly	Walter Kunicki
Speaker Pro Tem of the Assembly	David E. Clarenbach
Chief Clerk of the Assembly	Thomas Melvin

STATISTICS

Land Area (square miles)	54,314
Rank in Nation	25th
Population	4,891,769
Rank in Nation	16th
Density per square mile	90.07
Number of Representatives in Congress	9
Capital City	Madison
Population	191,262
Rank in State	2nd
Largest City	Milwaukee
Population	628,088
Number of Places over 10,000 Population	61

Wyoming

Nicknames	The Equality State and The Cowboy State
Motto	*Equal Rights*
Animal	Bison
Flower	Indian Paintbrush
Bird	Western Meadowlark
Tree	Cottonwood
Song	*Wyoming*
Gem	Jade
Entered the Union	July 10, 1890
Capital	Cheyenne

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Mike Sullivan
Secretary of State	Kathy Karpan
Treasurer	Stan Smith
Auditor	Dave Ferrari
Supt. of Public Instruction	Diana Ohman

SUPREME COURT

Walter C. Urbigkit Jr., Chief Justice
Richard V. Thomas
G. Joseph Cardine
Richard J. Macy
Michael Golden

LEGISLATURE

President of the Senate	Diemer True
Vice President of the Senate	Boyd L. Eddins
Chief Clerk of the Senate	Liv Hanes

Speaker of the House	W.A. "Rory" Cross
Speaker Pro Tem of the House	Ron Micheli
Chief Clerk of the House	Paul Galeotos

STATISTICS

Land Area (square miles)	97,105
Rank in Nation	9th
Population	453,588
Rank in Nation	50th
Density per square mile	4.67
Number of Representatives in Congress	1
Capital City	Cheyenne
Population	50,008
Rank in State	1st
Largest City	Cheyenne
Number of Places over 10,000 Population	7

District of Columbia

Motto	*Justitia Omnibus* (Justice to All)
Flower	American Beauty Rose
Bird	Wood Thrush
Tree	Scarlet Oak
Became U.S. Capital	December 1, 1800

ELECTED EXECUTIVE BRANCH OFFICIALS

Mayor	Sharon Pratt Kelly

U.S. COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Chief Judge	Abner J. Mikva

DISTRICT OF COLUMBIA COURT OF APPEALS

Chief Judge	Judith W. Rogers

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Chief Judge	Aubrey E. Robinson
U.S. Attorney	Jay B. Stephens

THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Chief Judge	Fred B. Ugast

COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman	John H. Wilson
Chairman Pro Tem	John Ray

STATISTICS

Land Area (square miles)	61
Population	606,900
Density per square mile	9,882.76
Delegate to Congress*	1

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*Committee voting privileges only.

American Samoa

Motto	*Samoa-Muamua le Atua* (Samoa, God Is First)
Flower	Paogo (Ula-fala)
Plant	Ava
Song	*Amerika Samoa*
Became a Territory of the United States	1900
Capital	Pago Pago

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Peter T. Coleman
Lieutenant Governor	Galeai P. Poumele

HIGH COURT

F. Michael Kruse, Chief Justice
Malaetasi Togafau, District Court Judge
Lyle Richmond

LEGISLATURE

President of the Senate	Letuli Toloa
Vice-President of the Senate	Lefao Su'e Fuimaono
Secretary of the Senate	Leo'o V. Ma'o

Speaker of the House	Tuana'itau F. Tuia
Vice Speaker of the House	Talavou S. Ale
Clerk of the House	Wally Utu

STATISTICS

Land Area (square miles)	77
Population	46,773
Density per square mile	607.74
Capital City	Pago Pago
Population	3,519
Largest City	Pago Pago

Guam

Nickname	Hub of the Pacific
Flower	*Puti Tai Nobio* (Bougainvilla)
Bird	*Totot* (Fruit Dove)
Tree	*Ifit* (Intsiabijuga)
Song	*Stand Ye Guamanians*
Stone	Latte
Animal	Iguana
Ceded to the United States by Spain	December 10, 1898
Became a Territory	August 1, 1950
Request to become a Commonwealth Plebiscite	November 1987
Capital	Agana

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Joseph Ada
Lieutenant Governor	Frank F. Blas

SUPERIOR COURT

Alberto C. Lamorena III, Presiding Judge
Joaquin V.E. Manibusan
Janet Healy Weeks
Ramon V. Diaz
Benjamin J.F. Cruz
Peter B. Siguenza Jr.

LEGISLATURE

Speaker	Joe T. San Agustin
Vice Speaker	John P. Aguon
Legislative Secretary	Pilar C. Lujan

STATISTICS

Land Area (square miles)	209
Population	132,000
Density per square mile	631.58
Delegate to Congress*	1
Capital City	Agana
Population	1,139
Largest City	Tamuning
Population	16,673

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*Committee voting privileges only.

Northern Mariana Islands

Flower	Plumeria
Bird	Marianas Fruit Dove
Tree	Flame Tree
Song	Gi Talo Gi Halom Tasi
Administered by the United States as a trusteeship for the United Nations	July 18, 1947
Voters approved a proposed constitution	June 1975
U.S. President signed covenant agreeing to Commonwealth status for the islands	March 24, 1976
Became a self-governing Commonwealth	January 9, 1978
Capital	Saipan

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Lorenzo I. DeLeon Guerrero
Lieutenant Governor	Benjamin T. Manglona

COMMONWEALTH TRIAL COURT

Jose S. Dela Cruz, Chief Justice
Ramon G. Villagomez
Jesus C. Borja

LEGISLATURE

President of the Senate	Joseph S. Inos
Vice President of the Senate	Francisco M. Borja
Clerk of Senate	Nicky B. Borja
Speaker of the House	Thomas P. Villagamez
Vice Speaker of the House	Diego T. Benavente
Chief Clerk of the House	Evelyn Fleming

STATISTICS

Land Area (square miles)	183.5
Population	43,345
Density per square mile	236.21
Capital City	Saipan
Population	38,896
Largest City	Saipan

Puerto Rico

Nickname	Island of Enchantment
Motto	*Joannes Est Nomen Ejus* (John Is Thy Name)
Flower	Maga
Bird	The Pitirra
Tree	The Flamboyan
Song	*La Borinquena*
Animal	Coqui
Became a Territory of the United States	December 10, 1898
Became a self-governing Commonwealth	July 25, 1952
Capital	San Juan

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Rafael Hernandez-Colon

SUPREME COURT

Jose Antonio Andreu-Garcia, Chief Justice
Antonio Negron-Garcia
Francisco Rebollo-Lopez
Miriam Naveira de Rodon
Federico Hernandez-Denton
Rafael Alonso-Alonso
Jaime B. Fuster

LEGISLATIVE ASSEMBLY

President of the Senate	Miguel Hernandez-Agosto
Vice President of the Senate	Miguel A. Deynes Soto
Secretary of the Senate	Mercedes Ortiz de Martinez
Speaker of the House	Jose R. Jarabo
Vice President of the House	Samuel Ramirez
Chief Clerk of the House	Ferdinand Mercado Ramos

STATISTICS

Land Area (square miles)	3,421
Population	3,336,000
Density per square mile	975.15
Delegate to Congress*	1
Capital City	San Juan
Population	437,745
Largest City	San Juan
Number of Places over 10,000 Population	31

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*Committee voting privileges only.

U.S. Virgin Islands

Flower	Yellow Elder or Ginger Thomas
Bird	Yellow Breast or Banana Quit
Song	*Virgin Islands March*
Purchased from Denmark	January 25, 1917
Capital	Charlotte Amalie, St. Thomas

ELECTED EXECUTIVE BRANCH OFFICIALS

Governor	Alexander Farrelly
Lieutenant Governor	Derek M. Hodge

FEDERAL DISTRICT COURT

Stanley S. Brockman, Acting Chief Judge
Jeffrey L. Resnick, Appointed Magistrate Judge

LEGISLATURE

President	Virdin C. Brown
Vice President	Alicia Hansen
Legislative Secretary	Almando Liburd

STATISTICS

Land Area (square miles)*	136
St. Croix (square miles)	80
St. John (square miles)	20
St. Thomas (square miles)	33
Population	101,809
St. Croix	50,139
St. John	3,504
St. Thomas	48,166
Density per square mile	748.60
Delegate to Congress**	1
Capital City	Charlotte Amalie, St. Thomas
Population	12,331

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*The U.S. Virgin Islands is comprised of three large islands (St. Croix, St. John, St. Thomas) and 50 smaller islands and cays.

**Committee voting privileges only.

SUBJECT INDEX

(Page numbers in **boldface** indicate tables; a complete list of tables appears on page vi.)

A

- **Adjutants general**
  - Salaries, **82**
  - Selection, methods of, **76**
- **Administration and management,** 436–441
  - Benefits
    - As a percentage of salary, **456**
  - Deferred compensation
    - Administration, **469**
    - Eligibility, **468**
    - Investment options, **471**
    - Participant charges, **472**
  - Downsizing, 436–437
    - Policies, **473**
  - Fair Labor Standards Act, **452, 592**
  - Information resources
    - Operating agency, **506**
      - Functions, **508**
    - Policy agency, **506**
      - Functions, **507**
  - Interstate consulting service, 440–441
  - Organization, administrative
    - Cabinet systems, **53**
  - Personnel
    - Benefits, 476
    - Collective bargaining and unions, **449**
    - Compensation factors, **452**
    - Grievance procedures, **450**
    - Health insurance costs, **463**
    - Health insurance plans, **465**
    - Office of administrator: primary responsibilities, **442**
    - Structure and functions, **444**
  - Purchasing, 438–440
  - Recycling, 437
    - Policies, **439**
    - Programs, **438**
  - State employees, 437
- **Administrative Dispute Resolution Act of 1990,** 607
- **Administrative officials,** ***See also*** titles of individual officials
  - Salaries, **82**
  - Selections, methods of, **76**
  - Terms, length and number of, **74**
- **Administrative Procedures Act,** 607
- **Age Discrimination in Employment Act of 1967,** 611
- **Age, minimum**
  - For holding office
    - Attorneys general, **111**
    - Governors, **46**
    - Legislators, **143**
    - Lieutenant governors, **92**
    - Secretaries of state, **99**
    - Treasurers, **120**
  - For specified activities
    - Buying alcohol, **518**
    - Employment, selected, **592**
    - Leaving school, **518**
    - Making a will, **518**
    - Marriage, **518**
    - Obtaining age of majority, **518**
    - Serving on a jury, **518**
- **Agriculture**
  - Administrative officials
    - Salaries, **82**
    - Selection, methods of, **76**
  - Elected officials, terms, length and number of, **74**
  - Federal-state relations, 611
  - To be elected: 1992-2001, **265**
- **Alcoholic beverages,** ***See*** Age, minimum, for specified activities; Tax revenue; Taxation
- **Alt, Ronald,** 390–393
- ***American Trucking Associations v. Scheiner,*** 612
- ***American Trucking Associations v. Smith,*** 612
- **Americans with Disabilities Act,** 437, 570, 606, 609
- **Amestoy, Jeffrey L.,** 102–110
- **Amusements,** ***See*** Tax revenue
- **Apportionment,** 258–259
  - State actions, 9, 126–128
- ***Arnold v. Kemp,*** 626
- **Assistance and subsidies,** ***See*** Finances, state
- **Attorneys general,** 102–110, ***See also*** Executive branch, organization and issues: 1990-91
  - Defending the state, 102–103
  - Duties, 102
    - Advisory, **112**
    - Antitrust, **113**
    - Before the U.S. Supreme Court, 107–108
    - Consumer protection, **113**
    - Counsel for state, **114**

    Environmental enforcement, 105–106
    Fiscal responsibilities, 103
    Prosecutorial, **112**
    Public protection, 103–105
    To administrative agencies, **114**
  Minimum age for office, **111**
  Qualifications for office, **111**
  Salaries, **82**
  Selection, methods of, **76**, **111**
  Subpoena powers, **113**
  Terms, length and number of, **74**
  To be elected: 1992-2001, **265**
Auditors, ***See also*** Executive branch, organization and issues: 1988-89
  Terms, length, and number of, **74**
  To be elected: 1992-2001, **265**

B

Baker v. Carr, 124
Banking, ***See also*** Finances, state
  Administrative officials
    Salaries, **82**
    Selection, methods of, **76**
Barnes v. Glen Theatre, 613
Barron v. Baltimore, 247
Batson v. Kentucky, 218
Beyle, Thad L., 30–43, 57–63
Blatchford (Hoffman) v. Native Village of Noatak, 614
Board of Education v. Dowell, 614
Bowers v. Hardwick, 248
Brinegar, Pamela L., 567–572
Brown, R. Steven, 555–559
Buckley v. Valeo, 285
Budget Enforcement Act (1991), 604
Budgets, ***See also*** Finances, state
  Administrative officials
    Salaries, **82**
    Selection, methods of, **76**
  Balanced budgets and deficit limitations: constitutional and statutory provisions, **355**
  Budgetary calendars
    by state, **351**
  Gubernatorial powers, **49**, **355**
  Legislative
    Appropriations process: budget documents and bills, **175**
    Authority, **355**
  Preparation, review and controls, officials or agencies, **352**

C

Cabinet systems, 53
California v. Greenwood, 615
California v. American Stores Co., 612
California v. Federal Energy Regulatory Commission, 614
California Tax Franchise Board v. Alcan Aluminum, 612
California Taxpayers Right-to-Vote Act, 11
Campaign finance laws, ***See*** Elections
Candidates for state offices
  Methods of nominating, **273**
Capital outlay, ***See*** Finances, state, expenditure
Capital punishment, 549
Capitals, 658
Carrollton-Farmers Branch Independent School District v. Edgewood Independent School District, 629
Chi, Keon S., 283–293
Chief justice, ***See*** Judiciary, judges
Child
  Labor standards, **592**
  Restraint laws, **538**
Chisom v. Roemer, 216, 612
Cigarettes, ***See*** Tax revenue, tobacco products; Taxation, tobacco products
City of Columbia et al. v. Omni Outdoor Advertising, 614, 626
City v. Association of Portsmouth Teachers, 627
City v. Responsible Dog Owners of Texas, 623
Civil rights
  Administrative officials
    Salaries, **83**
    Selection, methods of, **77**
  Federal-state relations, 609–610
Civil Rights Act of 1991, 610
Clark v. Roemer, 216
Clean Air Act Amendments, 606
Coleman v. Thompson, 613
Commerce
  Administrative officials
    Salaries, **83**
    Selection, methods of, **77**
Community affairs
  Administrative officials
    Salaries, **83**
    Selection, methods of, **77**
Compact for the Supervision of Parolees and Probationers, 650
Compacts and agreements, interstate, 648–650
Compensation, ***See also*** Employment, state; Labor; Salaries
  Classification and compensation plans, **454**
  Governors, **47**
  Holidays, paid, state employees, **460**
  Judges of appellate and general trial courts, **244**
  Legislative
    Compensation commissions, **149**, **150**
    House leaders, additional for, **159**
    Interim payments and other direct payments, **153**
    Method of setting, **149**
    Regular and special sessions, **151**

- Senate leaders, additional for, **157**
- Tied or related to state employees' salaries, **149**

Comptrollers
- Salaries, **83**
- Selection, methods of, **77**
- Terms, length and number of, **74**
- To be elected: 1992-2001, **265**

Computers, ***See also*** Information services
- Legislative activities performed with, **195**
  - Fiscal, budget, economic applications, **195**
  - Legislative management, **195**
  - Statutory, bill systems, legal applications, **195**

Conant, James K., 64–73

Congressional Budget Act of 1974, 606

Constitutions and constitutional revision, 2-19
- Amendment procedures, constitutional provisions
  - By initiative, **24**
  - By the legislature, **22**
  - Constitutional conventions, **25**
- Amendments
  - Number adopted, **20**
  - Number submitted, **20**
- Changes by method of initiation, **329**
  - Constitutional commissions, 2, 4
    - Operative 1990-1993, **27**
  - Constitutional conventions, 2, 4
  - Constitutional initiative, **2**, 3
  - Legislative proposal, **2**, 3
- Changes by method of referendum, **329**
- Dates of adoption, **20**
- Effective date of present constitution, **20**
- Estimated length, **20**
- Extraordinary votes by legislatures, **179, 181**
- General information, **20**
- Number by state, **20**
- Substantive changes, 6–15
  - Amendment and revision, **6**
  - Bill of Rights, **6**, 7
  - Elections, 7
    - Suffrage, 7
    - Suffrage and elections, **6**
    - Term limits, 8, 36, 90, 125, 601
  - Executive branch, **6**, 8
  - Finance and taxation, **6**, 10
  - General revision proposals, **6**
  - Judicial branch, **6**, 8
  - Legislative branch, **6**, 8
  - Local amendments, **6**
  - Local government, **6**, 10
  - Proposals of statewide applicability, **6**
  - State and local debt, **6**
  - State functions, **6**
  - State functions, amendments and revisions, and miscellaneous, 13

Construction, ***See*** Finances, state, expenditure

Consumer affairs
- Administrative officials
  - Salaries, **83**
  - Selection, methods of, **77**

Continuing education, ***See*** Education

Corrections, ***See also*** Parole and Probation
- Administrative officials
  - Salaries, **83**
  - Selection, methods of, **77**
- Death penalty, **549**
- Employment and payrolls, state
  - October 1989, **484, 486**
  - October 1990, **485, 487**
- Employment and payrolls, state and local
  - October 1989, **479**
  - October 1990, **479**
- Funding
  - In a changing economy, 347–348
- Prisons
  - Adults admitted: 1980 and 1989, **544**
  - Capacities: 1990, **545**
  - Population trends, **543**

Council of State Governments, 651–656
- Affiliated, cooperating and adjunct organizations, 653-654
- Associated organizations, 652
- Governing structure, 651
- Headquarters, 651
- Innovations transfer program, 510–517
- Interstate consulting service, 440–441
- Officers and executive committee, 655
- Publications, 652
- Regional conferences, 654
- Regions, 652

County Leadership Act, 623

County of Yakima v. Confederated Tribes and Bands of Yakima Indian Nation, 612

Courts, ***See*** Judiciary

Crime Victims Justice Reform Act, 6, 7

Criminal justice, ***See*** Corrections

Cruzan v. Director, Missouri Dept. of Health, 613

Current operation, ***See*** Finances, state, expenditure

D

Davis v. Bandemer, 128

Death penalty, 549

Debt redemption, ***See*** Finances, state, expenditure

Dennis v. Higgins, 614

Direct expenditures, ***See*** Finances, state, expenditure

Direct legislation, ***See also*** Constitutions and constitutional revision
- Initiative provisions for state legislation, **329**
  - Circulating petition, **331**
  - Preparing to place on ballot, **333**
  - Requesting permission to circulate petition, **330**
  - Signatures required, **330**
  - Voting, **335**
- Referendum provisions for state legislation, **329**

- Circulating petition, **337**
- Preparing to place on ballot, **338**
- Requesting permission to circulate petition, **336**
- Signatures required, **336**
- Voting, **339**
- **Domestic Violence Prevention Act,** 627
- **Douglas, James H.,** 95–98
- **Downsizing,** ***See*** Administration and management, Downsizing
- **Drug and drug testing,** 583–584
- **Drug treatment,** ***See*** Corrections

E

- **Economic and Employment Impact Act,** 606
- **Economic development**
  - Administrative officials
    - Salaries, **83**
    - Selection, methods of, **77**
- ***Edmonson v. Leesville Concrete Co., Inc.,*** 218
- **Education**
  - Administrative officials
    - Salaries, **83**
    - Selection, methods of, **77**
  - Continuing, mandatory for professions, **580**
  - Elected state officials, provisions for terms of, **74**
  - Employees, average earnings
    - October 1989, **482**
    - October 1990, **483**
  - Employment and payrolls, state and local
    - October 1989, **479**
    - October 1990, **479**
  - Employment, by state
    - October 1989, **484**
    - October 1990, **485**
  - Payrolls, state
    - October 1989, **486**
    - October 1990, **487**
  - Public instruction, superintendent of.
    - To be elected: 1992–2001, **265**
  - Revenue, intergovernmental
    - Per capita by state: 1989, **638**
    - Per capita by state: 1990, **639**
    - Summary of state payments: 1942 to 1990, **636**
    - Totals by state: 1989, **640**
    - Totals by state: 1990, **641**
- **Education, elementary and secondary**
  - Average daily attendance
    - 1989–90, **519;** 1990–91, **519, 520**
  - Capital outlay: 1988–89, **530**
  - Classroom teachers: 1990–91, **520**
  - Course requirements for high school graduation, **522**
  - Employment and payrolls, state and local
    - October 1989, **479**
    - October 1990, **479**
  - Employment, by state
    - October 1989, **484**
    - October 1990, **485**
  - Enrollment: 1990–91, **520**
  - Finance
    - Expenditure: 1988–89, **530**
    - Revenue, by source: 1988–89, **528**
  - Membership by state: 1989–90, 1990–91, **519**
  - Payrolls, state
    - October 1989, **486**
    - October 1990, **487**
  - Pupils per teacher: 1990–91, **520**
  - Salaries and wages: 1988–89, **530**
  - Salary, average annual, of instructional staff: 1939–40 to 1990–91, **521**
- **Education, higher**
  - Administrative officials
    - Salaries, **84**
    - Selection, methods of, **78**
  - Capital outlay: 1988–89, **530**
  - Employment and payrolls, state and local
    - October 1989, **479**
    - October 1990, **479**
  - Expenditures: 1988–89, **530**
  - Institutions of
    - Estimated undergraduate tuition fees: 1989–90, **527**
    - Number by type and control: 1989–90, **525**
  - Instructional faculty
    - Salaries, **526**
  - Payrolls, state
    - October 1989, **486**
    - October 1990, **487**
  - Salaries and wages: 1988–89, **530**
- **Education of the Handicapped Act Amendments,** 606
- **Elected state officials,** ***See also*** titles of individual officials
  - Terms, provisions for length and number of, **74**
- **Elections,** ***See also*** Direct legislation; Recall of state officials
  - Absentee voting, 261–262
  - Administrative officials
    - Salaries, **83**
    - Selection, methods of, **77**
  - Ballot access, 260
  - Campaign finance, 262–264, 283–293
    - Contributions, 284–285
      - Limits, 284–285
      - Source of contributions, 284
    - Enforcement and reform, 289–290
    - Filing requirements, **294**
    - Limitations on contributions
      - By individuals, **310**
      - By organizations, **304**
    - Limitations on expenditures, **317**
      - Proposals, 289
    - Local campaigns, 288–289
    - Public financing, 286–288
      - Financing trends, 286–288
      - Implementation, 288

    - Spending, 285–286
      - Candidate's money, 285–286
      - Limits, 285
      - Surplus and soft money, 286
      - Surplus campaign funds, use of, **318**
  - Formulas for election dates, **275**
  - Funding of: tax provisions and public financing, 326
  - Gubernatorial
    - Campaign costs: 1977-91, **35**
    - Campaign costs: 1988-91, **34**
    - Voting statistics for, **280**
  - Legislation, 258–264
  - Lieutenant governor, 90
  - Nominating candidates for state offices, methods of, **273**
  - Political parties, 261
  - Poll workers, 262
  - Polling hours, **277**
  - Primaries
    - Presidential, 260–261
  - Redistricting, 258–259
  - Technology, 259–260
  - To be elected
    - Executive branch: 1992-2001, **265**
  - Voter registration, 262
  - Voting
    - Gubernatorial elections, statistics for, **280**
    - Voter registration information, **279**
      - For presidential elections: 1980, 1984, 1988, **282**
      - In non-presidential election years: 1982, 1986, 1990, **281**
- **Emergency management**
  - Administrative officials
    - Salaries, **83**
    - Selection, methods of, **77**
- **Employee Retirement Income Security Act,** 613
- **Employee retirement systems, finances of,** 488–493
  - Beneficiaries and monthly benefit payments, 490–491
  - Benefit payments and other outlays, 490
  - Comparative statistics for: 1988-89, **502**
  - Comparative statistics for: 1989-90, **504**
  - Current issues, 492–493
  - Funds under jurisdiction of state treasurer, **359**
  - Holdings at end of fiscal year, by state: 1989-90, **500**
  - Investments and assets, 491–492
  - Legislative benefits, **161**
  - Membership, 488
  - Membership and benefit operations of: last month of fiscal year 1988-89, **496**
  - Membership and benefit operations of: last month of fiscal year 1989-90, **498**
  - Payments, 491
  - Receipts, 489–490, 491
  - Receipts and payments
    - By state: 1989-90, **500**
    - National summary: 1983-1990, **495**
  - System coverage, 488–489
  - System size, 489
- **Employment security administration,** ***See*** Finances, state, expenditure
- **Employment, state,** 475–477. ***See also*** Compensation; Labor; Salaries
  - Administrative officials
    - Salaries, **84**
    - Selection, methods of, **78**
  - Average earnings, 475–477
  - Benefits
    - Costs, **476**
  - By state size, **476**
  - Classification and compensation plans, **454**
  - Collective bargaining and unions, **449**
  - Fair Labor Standards Act, **452, 592**
  - For selected functions
    - October 1989, **484**
    - October 1990, **485**
  - Holidays, paid, **460**
  - Leave policies, selected, **458**
  - Levels, 475
  - Payrolls
    - Average monthly earnings, **476**
    - For selected functions
      - October 1989, **486**
      - October 1990, **487**
  - Personnel administration, 437
    - Benefits, 476
      - As a percentage of salary, **456**
    - Fair Labor Standards Act, **452, 592**
    - Grievance procedures, **450**
    - Health insurance costs, **463**
    - Health insurance plans, **465**
    - Office of administrator: primary responsibilities, **442**
    - Structure and function, **444**
  - Public sector employment changes: 1980-90, 475
- **Employment, state and local**
  - Average earnings
    - October 1989, **479, 482**
    - October 1990, **479, 483**
  - By function
    - October 1989, **479**
    - October 1990, **479**
  - By individual states
    - October 1989, **480**
    - October 1990, **481**
  - Payrolls
    - October 1989, **479, 482**
    - October 1990, **479, 483**
- **Energy resources**
  - Administrative officials
    - Salaries, **84**
    - Selection, methods of, **78**
- **Environment and natural resources,** 555–559. ***See also*** Finances, state, expenditure, natural resources
  - Economic development, 555–559
  - Employment

Examples of jobs, **558**
Environmental development, 557–559
Environmental industries, 555–556
Federal-state relations, 610
Innovations, 511–512
Management
Information, 560–563
State developments, 560–561
Strategies for the future, 562–563
Recycling, 437
Employment, 556
Policies, **439**
Programs, **438**
Environmental protection agencies
Administrative officials
Salaries, **84**
Selection, methods of, **78**
Equipment, ***See*** Finances, state, expenditure
Ethics, ***See*** Executive branch, organization and issues: 1990-91
Executive branch, ***See also*** Governors
Organization and issues: 1990-91, 57–63
Attorneys general, 58
Auditors, 59–63
Education, chief official, 59
Elected officials, 57
Ethics, 61–62
Future, 60
Lieutenant governors, 57–58
Open government, 60–61
Reorganization, 59–60
Secretaries of state, 58
Treasurers, 59
Reorganization: 1965-91, 64–73
Benefits and limitations, 71–72
Fifth Wave: 1980-Present, 70–71
Fourth Wave: 1965-79, 67–70
Origin and goals, 67–69
Origins, goals, process and results, **68**
Process, 69
Results, 69–73
History, 64–65
Intellectual roots, 65
Pre-Reform, 65–66
Reform Models, **66**, 66–67
Expenditure, ***See*** Finances, state; Intergovernmental affairs, finances

F

Fair Labor Standards Act, 452, 592
Farrey v. Sanderfoot, 613
Fay v. Noia, 613
Federal aid
To education
1989, **644**
1990, **646**
To health and hospitals
1989, **644**
1990, **646**
To highways
1989, **644**
1990, **646**
Fiscal 1991, **535**
To mass transit: fiscal 1991, **535**
To public school systems: 1988-89, **528**
To public welfare
1989, **644**
1990, **646**
To states, 603–604
1989, **644**
1990, **646**
Federal expenditures
Categories, 419–420
Direct payments by program, **427**
Distribution, 420
Geographic distribution, 420–421
Grants, **423**, **430**
Loan and insurance programs, **432**
Procurement contracts, **429**
Salaries and wages, **426**
Trends, 421
Federal funds
Summary distribution, **422**
Federal Insurance Contributions Act, 585
Federal-State Pesticide Regulation Partnership Act, 613
Federal-state relations, ***See*** Intergovernmental affairs
Finances, state, 365–371, ***See also*** Budgets; Federal aid; Tax revenue; Taxation
Administrative officials
Employment
October 1989, **484**
October 1990, **485**
Payrolls
October 1989, **486**
October 1990, **487**
Salaries, **84**
Selection, methods of, **78**
Agencies, administering
Major state taxes, **394**
Borrowing
By state: 1989, **372**
By state: 1990, **373**
Borrowing, extraordinary legislative vote, **179**, **181**
Cash, 369–370
Cash and security holdings
By state: 1989, **372**
By state: 1990, **373**
National totals: 1976-90, **374**
Debt, 369
National totals: 1976-90, **374**
Outstanding: end of fiscal 1989, 372, **388**
Outstanding: end of fiscal 1990, 373, **389**

Expenditure, 367–369; 1990, 419-421
  Assistance and subsidies
    By state: 1989, **380**
    By state: 1990, **382**
    National totals: 1976-90, **374**
  By character and object, **367**
    By state: 1989, **380**
    By state: 1990, **382**
    National totals: 1976-90, **374**
  Capital outlay
    By state: 1989, **380**
    By state: 1990, **382**
    National totals: 1976-90, **374**
  Construction
    By state: 1989, **380**
    By state: 1990, **382**
    National totals: 1976-90, **374**
  Corrections
    By state: 1989, **384**
    By state: 1990, **386**
    National totals: 1976-90, **374**
  Current operation
    By state: 1989, **380**
    By state: 1990, **382**
    National totals: 1976-90, **374**
  Debt redemption
    National totals: 1976-90, **374**
  Direct expenditure
    By state: 1989, **380**
    By state: 1990, **382**
    National totals: 1976-90, **374**
  Education
    By state: 1989, **384**
    By state: 1990, **386**
    Intergovernmental, by state: 1989, **640**
    Intergovernmental, by state: 1990, **641**
    National totals: 1976-90, **374**
    Per capita, by state: 1989, **638**
    Per capita, by state: 1990, **639**
    To local government for: 1942 to 1990, **636**
  Employment security administration
    By state: 1989, **384**
    By state: 1990, **386**
    National totals: 1976-90, **374**
  Equipment
    By state: 1989, **380**
    By state: 1990, **382**
    National totals: 1976-90, **374**
  Financial administration
    By state: 1989, **384**
    By state: 1990, **386**
    National totals: 1976-90, **374**
  General
    By function: 1989, **384**
    By function: 1990, **386**
    By state: 1989, **372**
    By state: 1990, **373**
    National totals: 1976-90, **374**
  Health and hospitals
    By state: 1989, **384**
    By state: 1990, **386**
    National totals: 1976-90, **374**
  Highways
    By state: 1989, **384**
    By state: 1990, **386**
    Intergovernmental, by state: 1989, **640**
    Intergovernmental, by state: 1990, **641**
    National totals: 1976-90, **374**
    Per capita, by state: 1989, **638**
    Per capita, by state: 1990, **639**
    To local governments for: 1942 to 1990, **636**
  Insurance benefits and repayments
    By state: 1989, **380**
    By state: 1990, **382**
    National totals: 1976-90, **374**
  Insurance trust
    By state: 1989, **372**
    By state: 1990, **373**
    National totals: 1976-90, **374**
  Interest on debt
    By state: 1989, **380**
    By state: 1990, **382**
    National totals: 1976-90, **374**
  Intergovernmental
    By function: 1989, **640**
    By function: 1990, **641**
    By state: 1989, **380**
    By state: 1990, **382**
    By type of receiving government, **642, 643**
    National totals: 1976-90, **374**
    Per capita by function: 1989, **638**
    Per capita by function: 1990, **639**
    Summary of payments: 1942-90, **636**
  Land and existing structures
    By state: 1989, **380**
    By state: 1990, **382**
    National totals: 1976-90, **374**
  Liquor stores
    By state: 1989, **372**
    By state: 1990, **373**
    National totals: 1976-90, **374**
  Local government support
    By state: 1989, **640**
    By state: 1990, **641**
    Per capita by state: 1989, **638**
    Per capita by state: 1990, **639**
    Summary of payments: 1942-90, **636**
  Natural resources: 1988, **564**
    By category: 1988, **565**
    By state: 1989, **384**
    By state: 1990, **386**
    National totals: 1976-90, **374**
  Police
    By state: 1989, **384**

By state: 1990, **386**
National totals: 1976-90, **374**
Public welfare
By state: 1989, **640**
By state: 1990, **641**
National totals: 1976-90, **374**
Per capita by state: 1989, **638**
Per capita by state: 1990, **639**
To local government for: 1942-90, **636**
Salaries and wages
By state: 1989, **380**
By state: 1990, **382**
Securities
National totals: 1976-90, **374**
Summary financial aggregates
By state: 1989, **372**
By state: 1990, **373**
Totals
By state: 1989, **372**
By state: 1990, **373**
National totals: 1976-90, **374**
Utilities
By state: 1989, **372**
By state: 1990, **373**
National totals: 1976-90, **374**
Federal funds
Summary distribution, **422**
In a changing economy, 346–350
Court decisions, 348
Corrections, 347-348
Health care, 347–348
History, 346–350
Intergovernmental relations, 348–349
Revenue and spending patterns, 349–350
Indebtedness
Changes: 1980-90, **369**
Intergovernmental
Federal government grants to state and local governments, **423**
Per capita distribution: 1990, **633**
Percent distribution: 1976-90, **632**
Investments, 369–370
Allowable, **357**, 369-370
Issues in, 370–371
National totals: 1976-90, **374**
Revenue, 366–367
General
By source and state: 1989, **376**
By source and state: 1990, **378**
By state: 1989, **372**
By state: 1990, **373**
National totals: 1976-90, **374**
Insurance trust
By state: 1989, **372**
By state: 1990, **373**
National totals: 1976-90, **374**
Intergovernmental
By state: 1989, **376**
By state: 1990, **378**
From federal and local governments, **374, 644, 646**
National totals: 1976-90, **374**
Liquor stores
By state: 1989, **372**
By state: 1990, **373**
National totals: 1976-90, **374**
Major tax sources, **366**
Summary financial aggregates
By state: 1989, **372**
By state: 1990, **373**
Taxes
By state: 1989, **376**
By state: 1990, **378**
National totals: 1976-90, **374**
Totals
By state: 1989, **372**
By state: 1990, **373**
National totals: 1976-90, **374**
Utilities
By state: 1989, **372**
By state: 1990, **373**
National totals: 1976-90, **374**
Summary, 365–366
Treasurers
Cash management programs and services, **361**
Demand deposits, **363**
Funds under jurisdiction of, **359**
Finances, state and local, ***See also*** Intergovernmental affairs
Administrative officials
Employment and payrolls
October 1989, **479**
October 1990, **479**
Federal government grants to state and local governments, **423**
Financial administration, ***See*** Finances, state
Financially Distressed Municipalities Act (Pennsylvania), 629
Fire protection
Employment and payrolls, state and local
October 1989, **479**
October 1990, **479**
Fiscal notes
Content and distribution, **177**
Fiscal year
Date of close of: 1990, **418**
Population and personal income, **418**
Fish and wildlife
Administrative officials
Salaries, **84**
Selection, methods of, **78**
FMC Corp. v. Holliday, 613
Fort Gratiot Sanitary Landfill v. Michigan Department of Natural Resources, 626

Freedom of Information Act (Virginia), 61
Friedelbaum, Stanley H., 247–255

G

Gates v. City of Sanford, 627
General Allotment Act, 612
General services, ***See also*** Finances, state
  Administrative officials
    Salaries, **84**
    Selection, methods of, **78**
Gona, Deborah A., 510–517
Governors, 30–43, **44,** ***See also*** Executive branch
  Access to state transportation, **47**
  Birthplaces, **44**
  Birthdates, **44**
  Budgetary powers, **49**
  Career patterns, 32–33
  Compensation, **47**
  Consecutive terms allowed, number of, **44**
  Date of first service, **44**
  Date present term ends, **44**
  Elections, 30–31
    Campaign costs, 33–36, **34;** 1977-91, **35**
    Voting statistics for, **280**
  Executive orders: authorization, provisions, procedures, **51**
  Impeachments
    Provisions for, **55**
  Lieutenant governors
    Joint election with, **44**
  Minimum age for office, **46**
  Names of, **44**
  Newly elected: 1990-91, 31–32
  Number of previous terms, **44**
  Party affiliation of, **44**
  Powers, 36–40, **49**
    Appointment, 39–43
    Budget, 38–39
    Legislative veto, 38
    Veto, 37–38, **49**
  Qualifications for office, **46**
  Residence, official, **47**
  Salaries, **47, 82**
  Selection, methods of, **76**
  Succession to governorship, **44**
  Terms, length and number of, **44, 74**
  To be elected: 1992-2001, **265**
  Transition, provisions and procedures for, **54**
  Travel allowance, **47**
Gregory v. Ashcroft, 216, 611
Growth Management Act (Washington), 623
Guiney v. Commissioner, 627

H

Hafer v. Melo, 611
Hall, Wayne H., Jr., 436–441
Harmelin v. Michigan, 613
Health agency programs, ***See also*** Finances, state
  Administrative officials
    Salaries, **84**
    Selection, methods of, **78**
  Employment and payrolls, state and local
    October 1989, **479**
    October 1990, **479**
  Funding
    In a changing economy, 347–348
  Occupations and professions, state regulation of: 1991, **574**
Health and Welfare Realignment Act, 628
Hernandez v. New York, 218
Highways, ***See also*** Finances, state, expenditure
  Administrative officials
    Salaries, **84**
    Selection, methods of, **78**
  Aid to local governments for: 1942 to 1990, **636**
  Disbursements for: 1990, **534**
  Employment and payrolls, state and local
    October 1989, **479**
    October 1990, **479**
  Employment, by state
    October 1989, **484**
    October 1990, **485**
  Expenditures for
    Intergovernmental by state: 1989, **640**
    Intergovernmental by state: 1990, **641**
    Per capita by state: 1989, **638**
    Per capita by state: 1990, **639**
    Summary of state payments: 1942 to 1990, **636**
  Federal funds
    Apportionment of: fiscal 1991, **535**
    By state: 1990, **533**
  Funds under jurisdiction of state treasurer, **359**
  Mileage, road and street: 1990, **532**
  Payrolls, state
    October 1989, **486**
    October 1990, **487**
  Receipts
    By state: 1990, **533**
  Revenue, intergovernmental: 1989, **644**
  Revenue, intergovernmental: 1990, **646**
  Tolls, receipts from: 1990, **533**
Historic preservation
  Administrative officials
    Salaries, **84**
    Selection, methods of, **78**
Hodgson v. Minnesota, 613
Holidays, paid
  State employees, **460**
Hospitals, ***See also*** Finances, state, expenditure, health and hospitals
  Employment and payrolls, state and local
    October 1989, **479**

    October 1990, **479**
  Employment, state
    October 1989, **484**
    October 1990, **485**
  Payrolls, state
    October 1989, **486**
    October 1990, **487**
Hotel and Motel Fire Safety Act of 1990, 607
House of Representatives, ***See*** Legislatures and legislative procedures
Houston Lawyers' Assn. v. Texas Attorney General, 216
Howard, Marcia A., 346–350

I

Impeachment
  Provisions for, **55**
Income
  Personal, per capita, 1989, **418**
Income taxes, ***See*** Taxation; Tax revenue
Information services
  Administrative officials
    Salaries, **85**
    Selection, methods of, **79**
Ingersoll-Rand Co. v. McClendon, 613
Initiative, ***See*** Direct legislation
Innovations, 510–517
  Environment, 511–512
  Government operations, 514
  Innovations transfer program
    List of programs, 515–517
  Law enforcement programs, 512–513
  Service programs, 513–514
  Transfer, 510–517
  Transfer program
    Programs: 1990-91, **511**
    Selection criteria, **511**
Insurance, ***See also*** Finances, state, expenditure; Labor, workers' compensation; Tax revenue
  Administrative officials
    Salaries, **85**
    Selection, methods of, **79**
  Elected officials, terms, length and number of, **74**
  Funds under jurisdiction of state treasurer, **359**
  No-fault motor vehicle laws, **540**
Intergovernmental affairs
  Aid to local governments, **632**
    Per capita distribution: 1990, **633**
  Federal expenditures
    Salaries and wages, **426**
  Federal-state relations, 600–618
    Agriculture, 611
    AIDS, 611–612
    Business regulation, 608–609
    Census, 609
    Child care, 610
    Civil rights, 609–610
    Criminal procedure, 613–614
    Environmental protection, 610
    Federal aid to states, 603–604
    Fiscal pressure on states, 604
      Mandate innovation, 606
      Mandate relief, 606–609
      Mandates, 605–607
      Tax and trust funds, 604
    Fiscal restraints, 601–603
    Food stamps, 611
    Housing, 610–611
    International developments, 616–618
    Judicial federalism, 615–618
    Public opinion, 601
      Term limits, 601
    Rulemaking and pre-emption, 607–609
    State and local tax powers, 612
    State versus federal power, 614–615
    States in court, 611–615
    Tenth amendment, 615
    Transportation, surface, 609
  Finances
    Expenditure
      By function and state: 1989, **640**
      By function and state: 1990, **641**
      By state: 1989, **380**
      By state: 1990, **382**
      By type of receiving government: 1989, **642**
      By type of receiving government: 1990, **643**
      National totals: 1976-90, **374**
      Per capita by function and state: 1989, **638**
      Per capita by function and state: 1990, **639**
      Summary of payments: 1942-90, **636**
    Federal government grants to state and local governments, **423**
    Federal revenue sharing, **359**
    In a changing economy, 348–349
    Revenue
      By source and state: 1989, **376**
      By source and state: 1990, **378**
      From federal and local governments: 1976-90, **374**
      From federal and local governments: 1989, **644**
      From federal and local governments: 1990, **646**
      National totals: 1976-90, **374**
  State-local relations, 620–631
    Fiscal aid: 1990, 632–635
    Legal decisions and advisory opinions, 626
    Local discretionary authority, 622–624
    Mandate relief, 624–625
    Mandate studies, 625–626
    State aid and finance, 628–631
    State mandates, 623–624
    Study commissions, 620–631
Intergovernmental Mandate Relief Act, 606
Intermodal Surface Transportation Efficiency Act,

609

- **Interstate Compact for Modular Buildings,** 649
- **Interstate compacts and agreements,** 648–650
- **Investments,** ***See*** Finances, state
- ***IT Corporation v. Board*** , 626

J

- ***Jachimek v. Court,*** 626
- ***James B. Beam Distilling Co. v. Georgia,*** 612
- **Johnson, John Mark,** 560–563
- ***Johnson v. Sunray Services, Inc.,*** 626
- **Jones, Benjamin J.,** 648–650
- **Jones, Rich,** 124–135
- **Judges,** ***See*** Judiciary
- **Judiciary,** 210–226
  - Administrative offices of the courts, **246**
  - Alternative dispute resolution, 214–215
  - Court administration, 210
    - Caseflow management, 212
      - Appellate courts, 212
      - Trial courts, 212
    - Caseload trends, 211–212
      - Appellate courts, 211–212
      - Trial courts, 211
  - Federalism, judicial, 247–255, 615-618
    - Federal law alternative, 248–249
    - History, 247–248
    - State constitutional strategies, 249–255
      - Criminal law, 249–250
      - Privacy rights, 250
      - School funding, 250–255
  - Finances, 213
  - Interbranch relations, 213–214
  - Judges, 216–217
    - Chief justice
      - Selection, methods of, **227**
      - Term in years, **227**
    - Compensation, **244**
    - Courts of last resort
      - Qualifications, **231**
      - Selection, methods of, **227**
      - Terms in years, **227**
    - General trial courts
      - Number and terms, **229**
      - Qualifications, **231**
    - Intermediate appellate courts
      - Number and terms, **229**
      - Qualifications, **231**
    - Removal of, methods for
      - Extraordinary votes by legislature, **179, 181**
      - Selection and retention of, **233**
      - Vacancies, methods for filling, **236**
  - Juries, 217–218
  - State finances
    - Court decisions, 348
  - Technology, 215–216

K

- ***Kansas and Missouri v. Utilicorp,*** 612
- **Keffer, Gerard T.,** 408–409
- **Kellerman, David,** 419–421, 632–635
- **Kincaid, John,** 600–618

L

- **Labor**
  - Administrative officials
    - Salaries, **85**
    - Selection, methods of, **79**
  - Child labor, 582–583
    - Standards, **592**
  - Drug and alcohol testing, 583–584
  - Elected state officials, terms, length and number of, **74**
  - Employee leasing, 584
  - Employment agencies, 585
  - Equal employment opportunity, 583
  - Family issues, 582
  - Legislation, 581–586
  - Occupational safety and health, 584–586
  - Strikebreakers, 584
  - Wages and hours, 581–582
    - Minimum wage, 581
      - Non-farm employment: 1968 to 1992, **596**
    - Prevailing wage, 582–586
    - Wage payment and collection, 581–582
  - Workers' compensation, 585
    - Estimates of payments: 1987-88, **589**
    - Maximum benefits for temporary total disability, **587**
    - State employees, **465**
- **Land and existing structures,** ***See*** Finances, state, expenditure
- **Land area**
  - By state, **661**
- **Laws,** ***See*** Legislation
- ***Leathers v. Medlock,*** 612
- **Legislation**
  - Child restraint, **538**
  - Introductions and enactments
    - Regular sessions: 1990 and 1991, **183**
    - Special sessions: 1990 and 1991, **186**
  - Motor vehicles, **538**
  - No-fault motor vehicle insurance, **540**
  - Seat belt, mandatory, **538**
  - Sunset laws, **201**
  - Vetoed by governors
    - Regular sessions: 1990 and 1991, **183**
    - Special sessions: 1990 and 1991, **186**
- **Legislators,** ***See*** Legislatures and legislative procedures
- ***Legislature of California v. Eu,*** 8
- **Legislatures and legislative procedures,** 124–135, ***See also*** Apportionment; Direct legislation
  - Activities performed with computers, **195**

- Appropriations process: budget documents and bills, **175**
- Bill and resolution introductions and enactments, 130
  - Regular sessions, 1990 and 1991, **183**
  - Special sessions, 1990 and 1991, **186**
- Bill introduction, time limits on, **166, 169**
- Bill pre-filing, reference and carryover, **167**
- Bill processing streamlining and expediting, **166**
- Budget documents and bills, **175**
- Convening places, **136**
- Effective date of enacted legislation, **172**
- Evolution, 134–135
- Expulsion, extraordinary votes required, **179, 181**
- Extraordinary votes, **179, 181**
- Facilities, 132
- Fiscal notes, content and distribution, **177**
- Frequency of legislative budget cycles, **351**
- Full-time, 129–130
- Information systems, 132–133
- Initiative provisions for state legislation, **329**
- Leadership positions
  - Selection, methods of, House, **147**
  - Selection, methods of, Senate, **145**
- Legal provisions for, **137**
- Legislative modernization, 124–125
- Legislators
  - Minimum age for office, **143**
  - Number, terms, and party affiliations, **141**
  - Qualifications for election, **143**
  - Salaries and other compensation, **149**
    - Additional compensation, for House leaders, **157**; for Senate leaders, **159**
    - Compensation commissions, **149, 150**
    - Interim and other payments, **153**
    - Method of setting, **149**
    - Per diem, **151, 153**
    - Regular and special sessions, **151**
    - Retirement benefits, **161**
    - Tied or related to state employees' salaries, **149**
    - Travel allowance, **151, 153**
- Lobbyists
  - As defined in state statutes, **205**
  - Registration and reporting, **207**
- Membership turnover: 1979-1989, **127**
- Membership turnover: 1990, **142**
- Names of, **136**
- Operations, organization and procedures, 128
- Party control, 133
- Powers
  - Budgetary, **175**
  - Impeachment, **55**
  - Veto override, **172**
- Referendum provisions for state legislation, **329, 336, 337, 338, 339**
- Review of administrative regulations
  - Powers, **199**
  - Structures and procedures, **197**
- Salaries and other compensation, 130–131
- Sessions
  - Length, 128–129
  - Regular
    - Legal provisions for, **137**
    - Length and duration of: 1990, 1991, **183**
  - Special
    - Legal provisions for, **137**
    - Length and duration of: 1990, 1991, **186**
- Staff services, 131–132
  - For individual legislators, **189**
  - For standing committees, **190**
- Standing committees
  - Appointment and number, **191**
  - Procedure, **193**
- Term limits, 125
- To be elected: 1992-2001, **269**
- Veto, legislative, 38

Library agencies
- Administrative officials
  - Salaries, **86**
  - Selection, methods of, **80**
- Employment and payrolls, state and local
  - October 1989, **479**
  - October 1990, **479**

Licensing
- Administrative officials
  - Salaries, **85**
  - Selection, methods of, **79**
- Licenses, tax revenue from
  - By state: 1989, **376**
  - By state: 1990, **378, 412, 416**
  - National summary, **410**

Lieutenant governors, 88–90
- Consecutive terms allowed, **92**
- Diversity, 90
- Duties, examples, **89**
- Elections, 90
- Governors, joint election with, **44**
- Historical origins, 88
- Minimum age for office, **92**
- Modern role, 88
- Office structure, 90–91
- Powers and duties, **93**
- Qualifications and terms, **92**
- Salaries, **82**
- Selection, methods of, **76**
- Springboard to higher office, 91
- Succession to the governorship, 88–90
- Team elections, 90
- Terms, length and number of, **74,** 90
- To be elected: 1992-2001, **265**

Liquor stores, ***See*** Finances, state; Taxation, alcoholic beverages; Tax revenue, alcoholic beverages

Lizotte v. Commission, 627

Lobbyists
- As defined in state statutes, **205**

  - Registration and reporting, **207**
- **Local Partnership Act,** 603
- ***LULAC v. Clements,*** 216

M

- **Management,** ***See*** Administration and management
- **Mass transit, local**
  - Federal funding for, **535**
- **May, Janice C.,** 2–19
- **McCallum, Scott,** 88–90
- ***McClesky v. Zant,*** 613
- ***McCormick v. United States,*** 612
- ***McKesson Corp. v. Florida,*** 612
- **Mental health and retardation,** ***See also*** Health agency programs
  - Administrative officials
    - Salaries, **85**
    - Selection, methods of, **79**
- ***Michigan Department of State Police v. Sitz,*** 249, 613
- **Mined Land Reclamation Act of 1974 (New York),** 622
- **Minimum wage**
  - Non-farm employment: 1968-92, **596**
- ***Missouri v. Jenkins,*** 611, 615
- ***Moore v. Molpus,*** 3
- **Motor vehicles,** ***See also*** Tax revenue
  - Insurance, no-fault, **540**
  - Laws, **538**
  - Operators and chauffeurs licenses: 1990, **537**
  - Registrations: 1990, **536**

N

- **National Affordable Housing Act of 1990,** 610
- **National and Community Services Act,** 602
- ***National Bellas Hess, Inc. v. Department of Revenue,*** 648
- **National Child Search Assistance Act of 1990,** 606
- **National Governors' Association,** 40–41
- **Natural resources,** ***See also*** Finances, state, expenditure
  - Administrative officials
    - Salaries, **85**
    - Selection, methods of, **79**
  - Employment and payrolls, state and local
    - October 1989, **479**
    - October 1990, **479**
  - Employment, state
    - October 1989, **484**
    - October 1990, **485**
  - Payrolls, state
    - October 1989, **486**
    - October 1990, **487**
- **Negotiated Rulemaking Act of 1990,** 607
- **Nelson, Richard R.,** 581–586
- ***New York v. United States,*** 649
- **Nominating candidates for state offices**
  - Methods of, **273**
- **Northeast Mississippi-Northwest Alabama Railroad Authority,** 650
- **Nutrition Labeling and Education Act of 1990,** 607

O

- **Occupational safety and health,** 584–586
  - Information exchange, 571
- **Occupational Safety and Health Act**
  - Status of approved state plans in accordance with, **591**
- **Occupations and professions**
  - Enforcement and disciplinary procedures, 569
  - Examinations, 569
  - Licensure, 567–572
    - Sunrise/sunset, 569
  - Licensure boards, 568
  - Mobility, 570
- **Occupations and professions, state regulation of**
  - Continuing education, **580**
  - Health occupations and professions, **574**
  - Non-health occupations and professions, **573**
- ***Ohio v. Akron Center for Reproductive Health,*** 613
- **Oil Pollution Act,** 608
- **Omnibus Budget Reconciliation Act of 1990,** 348, 584
- **Open Meetings Act (Michigan),** 61
- ***Osborne v. Ohio,*** 613

P

- ***Pacific Mutual Life Insurance Co. v. Haslip,*** 613
- **Pankey, Kenneth G. Jr.,** 210–226
- **Parental leave, 458**
- **Parimutuels,** ***See*** Tax revenue
- ***Parker v. Brown,*** 626
- **Parks and recreation**
  - Administrative officials
    - Salaries, **85**
    - Selection, methods of, **79**
- **Parole and probation,** ***See also*** Corrections
  - Adults on parole, 1990, 547
  - Adults on probation, 1990, 546
- ***Payne v. Tennessee,*** 613
- ***Perpich v. Department of Defense,*** 614
- **Personnel,** ***See also*** Administration and management
  - Administrative officials
    - Salaries, **85**
    - Selection, methods of, **79**
- **Personnel management,** ***See*** Administration and management
- **Planning**
  - Administrative officials
    - Salaries, **85**
    - Selection, methods of, **79**
- **Police protection,** ***See also*** Finances, state, expenditure
  - Employment and payrolls, state and local

    October 1989, **479**
    October 1990, **479**
  Employment, state
    October 1989, **484**
    October 1990, **485**
  Payrolls, state
    October 1989, **486**
    October 1990, **487**
  State police
    Salaries, **86**
    Selection, methods of, **80**
Political Reform Act (California), 8, 290
Population
  Capitals, by state, **661**
  Largest cities, by state, **661**
  Totals, by state, **418, 661**
Post audit
  Administrative officials
    Salaries, **85**
    Selection, methods of, **79**
***Powers v. Ohio*,** 218
Pre-audit
  Administrative officials
    Salaries, **86**
    Selection, methods of, **80**
Pre-emption Clarification and Information Act, 607
***Presley v. Etowah County Commission*,** 612
Primaries, ***See*** Elections
Prisons, ***See also*** Corrections
  Adults admitted: 1980 and 1989, **544**
  Capacities: 1990, **545**
  Population trends, **543**
Probation, ***See*** Corrections; Parole and probation
Property taxes, ***See*** Tax revenue
Public assistance, ***See*** Public welfare
Public health, ***See*** Health agency programs
Public instruction, ***See*** Education
Public library, ***See*** Library agencies
Public school systems, ***See*** Education, elementary and secondary
Public utilities
  Administrative officials
    Salaries, **86**
    Selection, methods of, **80**
  Commissions, **552**
    Commissioners
      Length of terms, **552**
    Number of members and employees, **552**
    Regulatory authority, **552**
    Regulatory functions of, selected, **553**
    Selection of members, **552**
  Employment and payrolls, state and local
    October 1989, **479**
    October 1990, **479**
Public welfare, ***See also*** Finances, state, expenditure
  Administrative officials
    Salaries, **86**
    Selection, methods of, **80**
  Aid to local governments for: 1942-90, **636**
  Employment and payrolls, state and local
    October 1989, **479**
    October 1990, **479**
  Employment, state
    October 1989, **484**
    October 1990, **485**
  Expenditure for
    Intergovernmental by state: 1989, **640**
    Intergovernmental by state: 1990, **641**
    Per capita by state: 1989, **638**
    Per capita by state: 1990, **639**
    Summary of state payments: 1942-90, **636**
  Payrolls, state
    October 1989, **486**
    October 1990, **487**
  Revenue, intergovernmental
    1989, **644**
    1990, **646**
Purchasing, ***See also*** Administration and management
  Administrative officials
    Salaries, **86**
    Selection, methods of, **80**

Q

***Quill Corporation v. North Dakota*,** 648

R

***Raven v. Deukmejian*,** 7
Recall of state officials
  Applicability to state officials, **340**
  Petitions, **340**
  Review, appeal and election, **342**
Referendum, ***See*** Direct legislation
Retirement systems, ***See*** Employee retirement systems
Revenue, ***See also*** Finances, state; Tax revenue; Taxation
  Administrative officials
    Salaries, **86**
    Selection, methods of, **80**
***Reynolds v. Simms*,** 125
Roads, ***See*** Finances, state, expenditure; Highways
***Roe v. Wade*,** 250
***Rufo v. Inmates of Suffolk County Jail*,** 614
***Rutan et al. v. Republican Party of Illinois*,** 40, 611
Ryan White Comprehensive AIDS Resource Emergency Act, 611

S

Safety and health, ***See*** Occupational safety and health
Salaries, ***See also*** Compensation; Finances, state; and titles of individual officials
  Administrative officials, **82**
  Court administrative officials, **246**

  Education
    Elementary and secondary
      Average annual instructional staff, **521**
      By state: 1988-89, **530**
    Higher, by state: 1988-89, **530**
  Governors, **47**
  Judges of appellate and general trial courts, **244**
  Legislators, **151, 153, 157, 159**
San Antonio School Dist. v. Rodriguez, 251
Schmitt, Kara L., 567–572
Secretaries of state, 95–98, ***See also*** Executive branch, organization and issues: 1990-91
  Duties
    Archives, 97–98, **98**
    Corporations, 95–96
    Custodial, **101**
    Elections, 97–98, **100**
    Legislative, **101**
    Publication, **101**
    Registration, **100**
  Minimum age for office, **99**
  Qualifications for office, **99**
  Role and office, 95
  Salaries, **82**
  Selection, methods of, **76, 99**
  Terms, length and number of, **74**
  To be elected: 1992-2001, **265**
Senate, ***See*** Legislatures and legislative procedures
Smolka, Richard G., 258–264
Social insurance administration
  Employment and payrolls, state and local
    October 1989, **479**
    October 1990, **479**
Social services, ***See also*** Public welfare
  Administrative officials
    Salaries, **86**
    Selection, methods of, **80**
Solid waste management
  Administrative officials
    Salaries, **86**
    Selection, methods of, **80**
South Carolina v. Baker, 615
Spallone et al. v. U.S., 612
State pages
  Historical data, **659**
  Official names, capitals, zip codes and central switchboards, **658**
  Selected officials and statistics, by state, 663-690
  Statistics, **661**
State police, ***See*** Police protection
State v. Hemple, 615
State-local relationships, ***See*** Intergovernmental affairs
Stevens, Alan V., 475–477
Sunset legislation, 201
Swaggert Ministries v. California, 612

T

Tacoma v. State (Washington), 627
Tax amnesty programs
  November 22, 1982-present, **396**
Tax provisions and public financing
  Funding state elections, **326**
Tax Reform Act of 1986, 118
Tax revenue, ***See also*** Finances, state; Taxation
  Alcoholic beverages
    License: 1990, **416**
    National summary: 1988 to 1990, **410**
    Sales and gross receipts: 1990, **414**
  Amusements
    License: 1990, **416**
    Sales and gross receipts, **414**
  By source and state: 1989, **376**
  By source and state: 1990, **378**
  By state, summary of: 1988-90, **411**
  By type of tax
    By state: 1990, **412**
    National summary: 1988 to 1990, **410**
  By type of tax: 1960-1990, **408**
  Collections: 1990, 408-409
    For selected states, **409**
  Corporations in general, licenses
    By state: 1990, **416**
    National summary: 1988 to 1990, **410**
  Death and gift
    By state: 1990, **412**
    National summary: 1988 to 1990, **410**
  Documentary and stock transfer
    By state: 1990, **412**
  Hunting and fishing license
    By state: 1990, **416**
    National summary: 1988 to 1990, **410**
  Income
    Percentage distribution of tax collections, **408**
  Income, corporate and individual
    By state: 1989, **376**
    By state: 1990, **378, 412**
    National summary: 1988 to 1990, **410**
  Insurance
    National summary: 1988 to 1990, **410**
    Sales and gross receipts: 1990, **414**
  Licenses
    By state: 1989, **376**
    By state: 1990, **378, 412, 416**
    National summary: 1988 to 1990, **410**
    Percentage distribution of tax collections, **408**
  Motor fuels
    National summary: 1988 to 1990, **410**
    Sales and gross receipts: 1989, **376**
    Sales and gross receipts: 1990, **378, 414**
  Motor vehicle license
    By state: 1989, **376**
    By state: 1990, **378, 416**

    National summary: 1988 to 1990, **410**
  Motor vehicle operators license
    By state: 1990, **416**
    National summary: 1988 to 1990, **410**
  Occupations and businesses, license
    By state: 1990, **416**
  Parimutuels
    Sales and gross receipts: 1990, **414**
  Property taxes
    By state: 1990, **412**
    National summary: 1988 to 1990, **410**
  Public utilities
    License: 1990, **416**
    National summary: 1988 to 1990, **410**
    Sales and gross receipts: 1988 to 1990, **410**
    Sales and gross receipts: 1990, **414**
  Sales and gross receipts
    By source and state: 1990, **414**
    By state: 1989, **376**
    By state: 1990, **378**, **412**
    National summary: 1988-1990, **410**
    Percentage distribution of tax collections, **408**
    Selective: by state: 1990, **414**
  Severance taxes
    By state: 1990, **412**
    National summary: 1988 to 1990, **410**
  Tobacco products, ***See also*** Taxation
    National summary: 1988 to 1990, **410**
    Sales and gross receipts: 1990, **414**
Tax-Exempt Bond Simplification Act of 1991, 118
Taxation, ***See also*** Finances, state, revenue; Tax revenue
  Agencies administering, **394**
  Alcoholic beverages, 393
    Agencies administering, **395**
    Excise tax rates, **397**
  Cigarettes, ***See*** Tax revenue, tobacco products; Taxation, tobacco products
  Death
    Agencies administering, **395**
  Distilled spirits
    Excise tax rates, **397**
  Excise tax rates, **397**
  Federal-state relations
    State and local tax powers, 612
  Funds under jurisdiction of state treasurer, **359**
  Gasoline
    Agencies administering, **394**
  General sales and gross receipts tax
    Excise tax rates, **397**
  Income
    Corporate, 391
      Agencies administering, **394**
      Rates, **403**
    Individual personal, 390–391
      By income brackets, **400**
      Federal starting points, **402**
  Major tax sources, **366**
  Motor fuel, 391–392
    Excise tax rates, **397**
  Motor vehicle
    Agencies administering, **394**
  Sales, 391
    Agencies administering, **394**
    Exemptions for food and drugs, **399**
  Severance: 1991, **405**
  Tobacco products, 392–393, ***See also*** Tax revenue
    Agencies administering, **395**
    Cigarette excise tax rate, **397**
  Trends: 1990-91, 390–393
Term limits, ***See*** Constitutions and constitutional revision, substantive changes, elections
Thornburg v. Gingles, 127
Tobacco products, ***See*** Taxation; Tax revenue
Tourism
  Administrative officials
    Salaries, **86**
    Selection, methods of, **80**
Transportation, ***See also*** Highways; Mass transit, local
  Administrative officials
    Salaries, **86**
    Selection, methods of, **80**
  Federal-state relations, 609
Transportation Appropriations Act, 606
Travel allowance
  Governors, **47**
  Legislators, **151**
Treasurers, 115–119, ***See also*** Executive branch, organization and issues: 1990-91
  Cash management programs and services, **361**
  Demand deposits, **363**
  Duties, 115–117
    Bond issue, **121**
    Cash and debt management, 116
    College savers program, **121**
    Debt service, **121**
    Deferred compensation, **121**
    Investment of excess funds, **121**
    Investment of retirement/trust funds, **121**
    Linked deposits, **121**
    Local government investment pool, **121**
    Management of bonded debt, **121**
    Managing unclaimed funds, 116
    National and international policy, 117–119
    Public pensions, 116
    Responding to public needs, 116–119
    Unclaimed property, **121**
  Funds under jurisdiction, **359**
  Minimum age for office, **120**
  Qualifications for office, **120**
  Salaries, **82**
  Selection, methods of, **76**, **120**
  Terms, length and number of, **74**
  To be elected: 1992-2001, **265**

Trial Court Realignment and Efficiency Act (California), 628
Trinova Corp. v. Michigan Department of Treasury, 612

U

Uniform Commercial Code, 96
Uniformed and Overseas Citizens Absentee Voting Act, 259
United States v. Leon, 249
Utilities, ***See*** Public utilities

V

Veto
  Gubernatorial power, **49, 172**
  Measures vetoed by governor
    Regular sessions: 1990 and 1991, **183**
    Special sessions: 1990 and 1991, **186**
  Override powers of legislatures, **49, 172, 179, 181, 199**
Violence Against Women Act, 107
Voting Rights Act of 1965, 216, 612
Voting, ***See*** Elections

W

Wages and hours, ***See also*** Compensation; Labor; Salaries
  Legislation
    Minimum wage
      Non-farm employment: 1968 to 1992, **596**
Walton v. Arizona, 613
Wayne County Citizens Association v. Wayne County Board of Commissioners (North Carolina), 627
Webster v. Reproductive Health Services, 250
Welfare, ***See*** Finances, state, expenditure; Public welfare
Wilder v. Virginia Hospital Association, 614
Wilson v. Seiter, 613
Wisconsin Public Intervener v. Mortier, 612
Withrow, Mary Ellen, 115–119
Wulf, Henry S., 365–371, 488–493

Z

Zimmerman, Joseph F., 620–631
Zip codes
  Of state capitals, **658**

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